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# LAWS

CONCERNING

### Trade, and Tradesmen.

In Two Parts.

The First, Treats of the Doctrine of By-Laws, made by Corporations and Companies concerning Trade, &c. Wherein are collected, from the Books of Reports, all the Cases which have been adjudged at Common-Law relating to this Subject.

The Second Part, is a Collection of the Statute-Law that concerns Merchants, Tradesmen, and Artificers.

Alphabetically disposed under proper Heads: With several Tables directing to all the Particulars thereof.

#### In the SAVOY:

Printed by J. Nutt, Assignee of Edw. Sayer Esq; for J. Walthoe in the Mid-dle-Temple Cloysters; and are to be sold at his Shop in Stafford, 1712.

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# READER.

Courteous Reader,

of Corporations, and of Companies, being by their Constitutions invested with Power to make and ordain By-Laws for the well governing of the same: The Author thought a Treatise of A 3 that

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#### To the Reader.

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that Nature might be acceptable to you, confidering there has not been any Thing writ before on this Subject. He therefore hath divided it into Two Parts; the First, directing to the whole Doctrine of By-Laws, made, or to be made, by Corporations, Companies or Fraternities, relating to Trade and Tradefmen: Shewing how fuch By-Laws, with Penalties or Forfeitures, Ge. may law-

### To the Reader.

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fully be made, or otherwife opposed and rejected by its Members, as being unreasonable or against the common Interest of Trade.

In the Second Part, he hath shewn you the Laws concerning Trade, collected from the many Statute-Laws now in Forcethat respect Trade, and Trading; which being very extensive, taking in the greatest Part of the Nation, (who are in some sort more

### To the Reader.

more or less concerned therein) is the Reason that it so much exceeds the First Part.

He humbly hopes, that this small Manual may be of universal Use, to inform and direct in both Cases; either as it respects the Statute-Law, or the By-Laws of particular Companies and Corporations, and will prove useful, not only to Tradefmen, but also to the Professors of the Common-Law.

Vale.

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HAT a By-Law is no Definiother than a particular tion of
Ordinance of Discipline, By Liwa,
proper to be us'd amongst
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what is prescrib'd by the general Law, common to them and others, The Rea- Moor 583, Oc. and that the Reafon of admitting of By-Laws in the Law, arises upon this Necessity, That it is not possible for the general Law to provide fit Government for any particular Society, but that that which profits one, may oftner prejudice others, because they differ much in particular Circumstances and Respects; as by Situation of the Place, by Plenty of Commonalties, by nearnest to the Sea, and the like; and therefore one Law meet for the Government of the Trades and Artificers in New-Castle, is not fit for London, Bristol, &c. nec è contra; and then it follows, that the same Reason which appoints general Laws to govern Kingdoms, ought to allow particular Laws for governing particular Societies, it being admitted that Discipline is requisite in both, see Moor Rep. 583. and there he lays it down for a Rule, That by all such Means by which People may

By what Means and Power.

may be incorporated, they may have
Power to make By-Laws. And be-By Precause that by Prescription, or by scription,
or Chartherefore by Prescription, or Charter, they may make By-Laws.

And fo. 584, he says, That in In Leets
Leets by Prescription is a good Ti- and
tle to make By-Laws by Prescription, as 2 H. 4. fo. In a CourtBaron, where the Tenants assembled have Common, they may prescribe to make By-Laws for using of it, as 15 Eliz. Dyr fo. 321.

Lord Cromwell's Case, That the Assor Tenants of N. made a Law, That putting none should put their Beasts into to the the Field until the Farmer of the Field. Rectory had rung the little Bell:

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So 21 H. 7. fo. 40. & 14 H. 7.

The Lord avow'd, that his Tenants
might make By-Laws in his CourtBaron by Prescription; and they
made one, That every one who A Penalty
broke the Pound should pay 3 l. to for breakthe Lord, for which he distrain'd, ing the
the Lord, for which he distrain'd, Lord's
and good.

B 2 So Pound.

Corpora-

prescribe

to make

So 49 Ass. Pl. 8. They of London would prescribe to make Corporations, Et hoc non allocatur, because it is a Flower of the Crown; but there it was ruled, that Corporations may prescribe to make

By-Laws. By-Laws.

So Fraternities.
The Minor Part concluded by the Major.

A special Clause in ancient Charters. The Book of 8 E. 3. Fitz Affize, Pl. 413. allows the Commoners in a Marsh, or Merchants of a Fraternity, may make By-Laws, and the Consent of the major Part shall bind the others, although they do not affent: And there they do not prescribe, but the By-Law is taken as a Bar without Prescription.

That in ancient Charters of Incorporations, they have had by the most Part a special Clause to authorize them to make By-Laws, which proves that it has been taken in all Ages, That Charters which create Incorporations, may give Power to make By-Laws for the Government

of them.

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#### Doctrine of By-Laws.

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And that where there is a Cor-Where a poration by Prescription, which Corporation prescribe in the making of not present the prescribe in the making of not present the King scribe, by Charter may grant them Power the King to make By-Laws, for this Necessity, that the People assembled them ought to have peculiar Discipline Power by for their Government in the Trade, Charter-Science, or other Matter for which they are assembled.

By what is before mention'd it Obserappears, that it is incident to Cor-vations porations, Fraternities, Courts-Leet, and Courts-Baron, to make By-Laws; but when they cannot prescribe, the King by Charter may

grant them Power to make.

B3 CHAP.

And they that make no

upon the like Pera of a

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#### CHAP.

Mary Pipelo Stat. 19 H. 7. Gap. 7. How Orders. Ordinances. and By-Laws of Fraterniries, &c. are to be confirm'd.

6

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DY an Act of Parliament made D 19 H. 7. Cap. 7. It is provided, That no Masters, Wardens, and Fellowships of Crafts and Mysteries, or Rulers of Guilds or Fraternities, shall make and put in Use any Order or Ordinance, by them made in Diminution of the Kings Prerogative, or against the common Profit of the People, not confirm'd by the Lord-Chancellor, Lord-Treasurer, Lords-Chief-Justices of the two Benches, or Three of them, or by the Two Judges of Affize of the County where the same Corporation is, under Pain of 40 1. And they shall make no Ordinance to restrain Suits in the King's Court, Suits, &c, upon the like Pain of 40%.

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### Doctrine of By-Laws.

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Upon an Ordinance made by the City of London, to prohibit Citizens to carry their Wares to Fairs and Markets out of the City to fell or barter, to the Intent that all -100J a Buyers and Merchants should refort to the faid City to buy, &c. This Stat. 3 H. Act gave them Liberty, and makes 7. Cap. 9. To make that Ordinance void, and none void an shall trouble any Citizen for so do- Ordiing, in Pain of 401. to be divided nance of betwixt the King and the Profecu- the City tor: And it feems the Caule of this Statute was by reason of the great Damage which was likely to come by fuch an Ordinance : See the Stat.

So a By-Law or Ordinance made Stat. 12
by the Merchant-Adventurers, That Cap. 6.
none should sell or buy at the four To make
Marts within the Dominions of the void a
Duke of Burgundy, before Compofition made by Fine with the said made by
the Merchant-Adventurers, contrary to chant Adthe Liberty of every Englishman, venturersand to the Liberty of the said Mart;

B-4 was

was made void by 12 H. 7. Cap. 6. Vid. 1 Rel. Abr. 363. Pl. 3.

An ufual Power in a Charter to Laws.

As to the Charter of a Corpora-Clause or tion, it is usual to put therein a Clause or Power to make Laws and Ordinances after this Manmake By- ner. viz.

And we further grant to them, That the faid Mayor and Com-' monalty may lawfully, as Occasion ' shall be, and Need shall require, ' assemble themselves together, and make fuch wholesome and good Laws and Ordinances, for the better Government, Overlight, and 'Correction of the same City, Oc. and the People thereof; and to 'add, alter, diminish or reform them, as to them shall feem good, and be thought meet, so as they be not repugnant to the Laws of the · Nation not against the publick and common Good of the People, within or without the same City.

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I. Upon which Clause some Observahave observ'd, That this Clause of tions upgiving Power to make By-Laws, is faid ot altogether necessary to be infer-Clause. ed in the Charter; for by the very Act of Incorporating, this Power is given.

2. That the Clause of Addition, What By-That they may not make Ordinances Laws or repugnant to the Laws, Or. is to lit- Ordinanle Purpose, for the Law doth un- void by derstand that; and it is included, the Com-And such By-Laws made by a Cor-mon-poration are void by the very Common-Law.

And as to the Provision made by Observathe Statute 19 H. 7. Cap. 7. afore-tions up mention'd, the following Observations have been made thereupon.

1. That an Order or By-Law What Bymade by a Corporation, not against Laws the Prerogative of the Crown, or may be Profit of the People, is good without such Confirmation, as is in the the Con-Statute mention'd. And it is faid, firmation, That if an as therein 1 Rol. Abr. 363. Pl. 4. Ordinance be made by a Corpora-ed.

Stat. 19 H. 7. c. 7. good I

B. 5

tion, which hath Power to make it by Custom or Charter, if the Ordinances be reasonable and lawful, it may be put in Execution without any Allowance by the Chancellor, Treasurer, or others, Oc. according to the Statute of 19 H. 7. Cap. 7. 5. Co. Chamb. Lond. 63. b. But it feems that they forfeit the Penalty of the Statute, and it does not make the Odinance void.

Where the Penalty of the Stat. howeverfeems to be forfeited.

Of By-Laws to restrain Trade, and impoling of Taxes, Oz.

Q4 .3836

2. That all By-Laws by them made against the Liberty and Freedom of the People, as to forbid or restrain Trade, impose Taxes or Burdens on the People, where the Law doth not impose them; to bind a Man's Inheritance, to restrain Men from fuing in what Court they please, or to inhance the Prices of the Commodities, to the Hurt of the publick and private Advantage of Tomake the Place, are void; nor can they annex to a good Ordinance, a Penalty of Imprisonment, or Forfeiture of Goods bought or fold.

Penalty of Imprisonment, OZ.

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3. But that a Corporation may By-Laws, make such By-Laws and Orders oc. by as any Town, Parish, or Neighbour-Consent, hood of Men, by the very Com- and for mon-Law may make; by a general betterGo-Consent for the better Government vernment of themselves; and common Good of place. the Place: And if it be for the publick Good, not only of the Place, but of the Country; as for the Repair of their Churches, Bridges, Highways, or the like, and there the greater Part may bind the leffer Part of them : And in this Case Penalties upon D'sobedience; it is said to be by Digood to appoint the Penalty to be Sale, &c. given to the Corporation, and to be levied by Diffress and Sale of the Goods, and an apt Officer to do it; as the Church-wardens for the Church-Money, and Surveyors for Money for the Highway, or how they will al Bo

And upon such an Order made For by general Confent, the Officer may which, the'c do it, and justify it accordingly: may ju-But they cannot by this charge any flify.

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Strangers that dwell without the Town.

By-Laws, upon a Custom or Prescription, good.

4. Also, that by Custom and Prescription they may perhaps go further, and do more, where Time out of Mind they have used so to do; as in London, and some other Corporations, they may by Custom or Prescription justify the doing of fome Things against common Right; fo a Custom, that a Forreigner within the City shall not sell Things by Retail, is good. So also, if it be that he shall not sell so under Pain of 5 l. But this is not good by Way of Charter, and therefore Cities that are incorporate within the Time of Memory, cannot have fuch Privileges without Parliament, 8 Co. 125. Dyer 179. But an Ordinance made amongst themselves in pursuit of such a Custom may be good and binding, but otherwise an Ordinance made to such a Purpose will be utterly void.

But not by Way of Charter. an

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5. Also a Corporation may make How reamy reasonable Orders and By-Laws for the better Government thereof, in the ordering of the Common-Countaws for cil-Officers and Members, and for Government thereof, in the better ordering of the Trades and Mysteries, and other Matters amongst them, either by Custom, Consent, or voluntary Submission of the Whole, or by their Council, according to their Charter of Constitution.

6. They may also make any By-Laws Orders in pursuance, and for the made in better Execution of the Laws and pursuance, etc. Statutes of the Nation, and to of the prevent Deceit; as for the bet-Laws of ter Ordering and Government of the Nation.

Trade, and the like, and all these will be good without any Confirmation of Lords or Judges, 5. Co. 63. Hob. Rep. 211. 11 Co. 53. 11 H. 7. 14. 44 Ed. 3. 19.

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No By-Law to restrain Suitors to the King or his Courts

But a Corporation cannot make a By-Law to restrain any Person to sue to the King or his Courts for Redress in their Cause, &c. per 19 H. 7. c. 7. upon Pain of 40 l. as is before observed.

#### CHAP. III.

Examples of Juch By-Laws.

London.

By-Law, &c. t

And first as to the City of London, &c.

By Law by the City of London, against Strangers and Foreigners keeping Shops,

An Ordinance was made, That no Person not a Freeman, should directly or indirectly, by himself or other, keep Shop or any other Place whatsoever for Shew, or putting to Sale any Merchandizes whatsoever by Way of Retail, or use any Trade, Mystery, or Occupation, for their Gain or Sale, in the City of London; and

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and it was agreed, that this Ordi-Void nance was not good there, if they without have not a Custom and Act of Paror Act of liament to warrant it, 8 Co. Case Parlia-of the City of London. Dr. Bon-ment. ham's Case, 8 Co. 115, 6%, and therefore a Charter granted to this Purpose in any City is not good.

And it is said, That no Corpora- No such tion made within the Time of Me-Privilege mory, can have such a Privilege by by Charter only, unless it be consirm'd ter only. by Parliament, so that Goods so-reign bought and foreign sold shall be forseited to the Mayor, Orc. as in Tork, is a good Custom, but this Privilege cannot be created by Charter: So that a Corporation Nor to shall have the sole Trade of making sole and importing of Playing Cards, Trade of is not good, & Co. 125. the Case making, of the City of London.

And it is observed, that By-Laws By-Laws must ever be subject and squar'd to be squathe Rule of the general Law of red to the the Realm, as subordinate to it, general Laws of the

Hen. Realm;

Corporation of Dyers in London.

No Forfeiture can be of Goods.

Of Impofition. without Cuftom or Prefcription.

ty, Fine, and Diftrefs.

ment, O.c.

Company chant-Taylors in

Hen. 6. granted to the Corporation of Dyers in London, Power to fearch, &c. and if they find any Cloth dyed with Logwood, that the Cloth should be forfeited: It was adjudged, that by a Charter no Forfeiture can be made of the Goods of a Subject. Austin's Case.

A Corporation cannot regularly impose de novo, a small Payment on the People, but by help of a Custom or Prescription for it; as in London it may be good, and fuch a reasonable Ordinance may be made, Of Penal- and a Penalty or Fine fer that is rea-

fonable, for Breach thereof, and ap-

point that there shall be a Distress

taken, or Action of Debt brought for it, and it may be good, 5 Co. 63. But they cannot annex Impri-Imprison sonment, nor a Forfeiture of Goods bought or fold, for this is against Law.

The Company of Merchant-Tayof Mer- lors in London made an Ordinance, That every Brother of the faid Com-London, pany that should put any Cloth to

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e dress'd by any Clothworker not eing a Brother of the fame Society. hould put the one Half of the fame Cloth to fome Brother of the fame ociety, that did exercise the Art of Clothworking, under Pain to foreit Ten Shillings, and to diffrein br it : The Ordinance was adjudg- Adjudgd void, and against the Liberty of ed one he Subject; that one may put his may put Cloth to dress where he will, and to dress may not be restrain'd from it, 11 Co. where he the Case of Monopolies. will.

The Common-Council in London By the did ordain, That the Bricklayers Common hould not be Plaisterers with Lime concerand Hair, but with Lime and Sand, ning under Pain to forfeit 40 s. and that Bricklaythe Lime and Hair belongeth to the ers and Plaiste-Plaisterers. This was resolv'd by rers in the Court to be a good Ordinance, London. for it is for the Ordering, and not the Destruction of Trade; for it feems it is indifferent to which of the Trades it doth belong, and fo the Ordinance doth but determine the Question amongst the Companies.

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nies. But if the Daubing with Lime and Hair belong to the Bricklayers, then the Chief Justice held it otherwise, Palm. 395. Per Cur.

Whether by Act of the Common-Council of the City of London, the Porters of Billing gate may be made a Fellowship, & adjournat, 3 Mod.

Rep. 193.

That Commodities should be fold on the Market-Day in publick. Broadcloth to be brought to Blackwell-Hall to be fearch'd.

A By-Law was made to this Purpole; That Commodities be fold on the Market-Day in publick, and not in private and fecret, and held good, and that no Prescription against it should be admitted good. And in London the following Ordinance was made; That if any Citizen, Freeman, or Stranger, within the faid City, should put any Broad-cloth to fale within the City of London, before it was brought to Blackwell-Hall to be view'd and search'd, that it might appear to be vendible, and before there was a Penny paid for Hallage of every Cloth; that he should forfeit for every Cloth 6 s. 8 d. and that the Chamberlain should have

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ave an Action of Debt for it, and was adjudged good; and faid, Affeffing hat the affelling of a small Sum by of a small n Ordinance, when itis for the Sum for ublick Good, and not for the pri- lick and rate Gain of the Place, where the Good, &. tranger hath more Profit than Lofs, s good. And so perhaps a small um for Pontage, Murage, or Toll, may be put, where it is more Beneit than Loss to the People, Vid, Co. 62. 13 H. 4. 14. 44 Ed. 3.19. B Ed. 2. Tit. Asize. 21 Ed. 4. 54. 11 H. 7. 13. 21 H. 7. 21. 40. See Rol. Abr. 365. Pl. 8. Moor 580. 2 Leon. 264, 265.

The City of London made a By- By-Law Law, That none of such a Trade to make should take to his Apprentice, the Cove-Son of an Alien; and if he did, nants and that the Obligations and Cove- Bonds of nants made between them should an Apbe void: It was adjudged a void prentice. Order, and that the Covenants and Bonds of binding that Apprentice were good : Dogrell versus Ponks. Trin. 37 Eliz. Moor 411. Pl. 562. For

Darined.

For the they might have inflicted a Fine or other Punishment upon such Master, yet they cannot make the Bonds and Covenants void.

By the College of Physicians,

The President and Censors of the College of Physicians in London, by Colour of Letters Patents of H. 8. In M. sin'd and imprison'd Doctor Bonham, for practising of Physick in London without their Allowance, (the Fine to be paid to them) and for Contempt made to the College; whereupon he brings an Action of false Imprisonment, and it was adjudged for him. And in this Case it was resolv'd:

No Power to punish by Fine and Imprisonment.

I. That in this Case, they have no Power to punish by Fine and Imprisonment those who practise without their Licence, but those Practisers who misadminister Physick.

Authority not purfued.

2. Admitting they have Power given them, yet they did not purfue it according to the Statute and Patent, 8 Co. 14. Dr. Bonham's Cafe.

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An Ordinance made by any Ma-By-Laws ers, Wardens, or Fellowships of made against ny Crasts, or Rulers of Guilds, or Statutes raternities, That every Apprentice for Fees, hall pay at his first Entry into the to be paid common-Hall, into the Wardens of he same Fellowship for his Entrance of the Fellowship, above Two shillings Six Pence, or for his Entry when his Term is expir'd above 15. 4 d. is against the Law, by the Statutes of 19 H. 7. 7. 22 H. 8.

So an Order, That they shall not set So to preup after they have serv'd their vent them
Time, and are Freemen, or open from setting up
any Shop, House, or Cellar, or ocafter their
cupy as Freemen, without the Agreement or Licence of the Master,
warden, or Fellowship of the Company. This Order is void by the

Stat. of 28 Hen. 8. c. 5.

So that every such Apprentice So to shall make Oath, or enter into cause Bond to the Warden, &c. not to set them to up Shop, or otherwise, Stat. 28 H. Oaths, 8.8.

Sec

See March the 15th, for fetting up Setting a Tavern in Birchin-Lane, against up a Tavern, &c. the Will of the Mayor and Com-

monalty, &c.

By-Law by Corporation of Sourmakers.

prilon.

King Charles made the Sourmakers of London a Corporation, and gave them Power to make Ordinances: And they made an Ordinance, That none should use the Trade, till he was free of the Corporation, and if any that was not free did use it. he should forfeit 40 s. for every Week which he did use it, and to be committed for it; and after they committed J. S. for using the Trade and not paying 40 s. contrary to the Not law- Ordinance, and it was adjudged not ful to im- lawful to imprison him, Hill. 14 Car. B. R. Hadcaftle's Cafe, I Rol.

Abr. 364. Pl. 2. King Edward 3. by Letters Pa-By the Mayor and Commonalty

tents, gave Authority to the Mayor and Commonalty of London of London make By-Laws among them for the better Government of the City, and against this was confirm'd by Act of Par-Carmen. liament. And after, a By-Law was

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there made, That no Carman within the City should go with his Cart an Hidle without the Licence of the Guardians of fuch an Hospital, and that if any one did to the contrary, that then he should forfeit 15 s. for every Time: And this was a void In Re-By-Law, because it was in re- flaint of straint of the Trade of a Carman, Trade, and so against Reason, for it tended private only to the private Benefit of the Benefit Guardians of the Hospital, and is in Nature of a Monopoly: Adjudged inter Payn and Haughton, Trin. 42 Eliz. B. R.

But yet if the Mayor, &c. of Aliter to London, having Time out of Mind prevent the Right to order and dispose of the Streets Cars, &c. to the end the Streets from bemay not be pefter'd with Cars, &c. ing pefte. make a By-Law, That but 420 Cars, red. &c. shall be permitted to work for Ansiell Hire within the City and Liberties noles thereof, and that the President, de: Dilex of Christ's- Hospital shall have the Regulation, Gr. thereof, and 201. Admittance, and 17 s. 4 d. yearly shall

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Void as to Part. good as to the Residue.

shall be paid to the Use of the Poor of the faid Hospital: This as to the Fine and Rent is void, but in all Things else a good By-Law. Adjudged inter Player & Vere, Raym. 288, 128, Oc. 1 Syd. 284. Adjudged, because a Multitude of Cars by the Stoppage of the Streets may prove a publick Nusance, Vid. 1 Keb. 463, 496. & 2 Keb. 10. And it is noted, that all By-Laws ought to be for the common Benefit, Oc. and not for the private Benefit of a particular Man, &c. Goulf. 79. Moor 580.

ought to be for common Benefir.

All By-

Laws

Merchant-London.

Against Reason and general Liberty.

The Merchant-Taylors of London, Taplors of by Force of a Charter of the King, which gives them Authority to make By-Laws, make a By-Law, That no Merchant shall put his Cloth to be dress'd, but at a Clothworkers of their Company. This is a void By-Law, for it is against Reason, and the general Liberty of the Subjea, to be restrain'd from putting his Work to whom he pleases. Adjudged, Trin. 42 Eliz. B. R. I Rol. Abr. 364. Pl. 6. vide ante, where the

he Ordinance was, that he should out one Moiety, Vid. 3 Mod. Rep. 159. 2 Inst. 47. 11 Co. 86, &c.

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So upon a By-Law in London, that By-Law none should bring any Sand, nor sell concerning for use any within the City or Su-ling and burbs, but that only which was ta-using ken out of the River of Thames, &c. Sand in was adjudged void, because it is London. Igainst Reason, that a Freeman Restrainghould be constrained from merchaning a lizing and selling; and this may be concern the Inheritance of some who may have Sands in their Land, Sodb. 106, 107. Raym. 293.

If a By-Law be made in London, By-Law That none shall make a Hot-press, concernor use it within the City, under Use of the Penalty of 10 l. for the making Hot-preshereof, and 5 l. for the Use there-ies in of: This is a good By-Law, because London. the Use of these Presses is dangerous or Fire, and deceitful, inasmuch as his makes Clothes and Stuffs better o the Eye, than in truth they are: Adjudged, Hill. 13 Jac. B. R. Edward's Case, 1 Rol. Abr. 365. Pl. 9.

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By-Law by the Company of Vintners in London,

A By-Law was made by the Company of Vintners in London, That every Fellow of the faid Company, who should be chosen and admirted to be a Livery-Man, should pay 31 l. 13 s. 4 d. &c. And this was held a good By-Law, for this being a Degree of Preheminence, to which Men of Substance only are rais'd, and there being a Necessity for Money to support the Honour and Reputation of the Company, were the Sum more or less, it could not make the By-Law void, while it binds only the Members of the Corporation; for when a Man doth agree to be of a Company, he doth thereby fubmit himself to the Laws rhereof, Paf. 33 Eliz. Taverner's Case: Adjudged upon a Mandamus to admit him to the Livery according to his Election, it being return'd that he refus'd to pay, Oc.

putation of the Company.

For the

Honour and Re-

Taverns It is noted, that when any Trade restrain'd by its Excrescence tends to a Nusance, and so may prove of publick Inconvenience, it may be restrain'd by a

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By-Law, as the Multitude of Taverns, &c. may be restrain'd, 1 Sid.

So in regard of the Place, as So Butebthat a Butcher shall not have a Shop ers Shops,

n Cheapfide, ibid. & March 15.

So of a Tallow-Chandler, Brew-

bouse, &c. March 15. per Cur.

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The Corporation of Butchers in By-Law London having Power to make By-Laws, made one, That no Butcher, tion of or Person being a Stranger, shall sell Butchers any Veal within the City of Lon- in London, unless they dress'd the Kidneys of their Veal, in such Manner as the Kidneys of Sheep were dress'd, under the Penalty of, &c. — A Not bind-Stranger selling Veal in London is not ing to a bound to take Notice of this By-Stranger, Law: Adjudged, Hill 7. Jac. inter Franklyn and Green, I Buls. 11.

But if such a By-Law is made to When suppress Fraud, or any general In-made to convenience us'd by a Foreigner; as suppress Fraud, Corruption, &c. in the Sale of Meat; &c. 'ris such is a good By-Law, and of which binding. he must take Notice, 1 Bulf, 12. Hill.

7 Jac. per Cur'. C 2 A

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By-Law by the Corporation of

A By-Law was made by the Corporation of Thronfters in London, That none should have above such a Throughers Number of Spindles in one Week, in London and held a good By-Law, for it is not in Restraint of Trade, but to make a more equal Distribution of it: Adjudged, Hill. 19 & 20 Car. 2. Fremantle's Case, Vid. 1 Lev. 229.

By the of London.

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The Company of Horners of Lon. don being incorporated by Letters Company Patents, and impower'd to make of Horners By-Laws for the better Government of their Corporation, made a By-Law, That Two Men by them appointed should buy rough Horns for the faid Company, and bring them to the Hall, there to be distributed every Month by the Master, &c. for the Use of the Company; and that no Member of the Company shall buy rough Horns within 24 Miles of London, but only of those Two Men so appointed, under the Penalty of, &c. This was held no good By-Law, for they being a Company

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Company incorporated in the City of London have no Jurisdiction else- No Jurisdiction have no Jurisdiction else- No Jurisdiction have, and may as well extend their diction have all over England, as for 24 out of Miles: Adjudged, Hill. 3 Jac. 2. the City. Barlow's Case, 3 Mod. 159.

If an Ordinance be made by the By Com-Common-Council of London, That mona certain Thing shall not be done, of a Forupon Pain of Forfeiture of a certure to tain Sum, to be recover'd by the be re-Chamberlain of London, by Action cover'd of Debt; this is good, because the Chamberlain is their publick Officer; berlain, resolv'd, 5 Co. 63. in the Case of the

Chamberlain of London.

Upon a By-Law made in London, By-Law where the Penalty was limited to be in London recover'd by Action of Debt, where-made too Parliain no Esson Protection, or Wager mentary-of Law should be allow'd: The Ju-like. Stices said, they were very Presumptuous in making Acts so Parliament-like, and said they might be su'd in B. R. for their Presumption and Insolency, Godb. 107. 3 Mod. 193.

C<sub>3</sub> Where

Where Debt-lies in the Superior Courts.

Where the Action cannot be restrain'd to the Court of the Corporation, in which the By-Law was made, but Debt not withstanding will lie thereupon in the Superior Courts, Vide 2 Syd. 105, 178.

By-Law, and Recovery by Distress.

Limited

to be re-

So it's said, That if a Corporation that hath Power by Charter to make By-Laws, makes a By-Law, and a penal Sum for Non-performance thereof, to be recover'd by Distress, &c. This is good, 5 Co. 64. Clark's Case, but not without a Prescription to do it, or Limitation by the By-Law so to do, Dy. 15 El. 321, 23. 1 Rol. Abr. 367. Pl. 5. Vid. Bridg. 139, 142. Where under a Penalty of such Sum (not exceeding 40 s.) as by the Makers of the By-Law should be assessed.

So if it be limited to be recover'd by Action of Debt, 5 Co. 64. So the Penalty may be recover'd by Action of Debt without Limitation,

by Action 5 Co. 64.

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See 2 Fon. 144, 145. concerning By Ma-By-Law made by the Master, ster, War-Warden, and Assistants of Trinity-den and House in Deptsord, That every Ma- of Triniiner, within 24 Hours after Ancho- ty-House. rage in the River of Thames, should fend his Gunpowder on Shore, if the Weather would permit, under the Penalty, &c. This was said to be a good By-Law as to the Matter, because for the publick Good, and Prevention of Danger which might otherwise accrue to the City of London: Yet because the By-Law ex- By-Law tended beyond the Jurisdiction of extending the Makers, it seem'd otherwise, beyond & adjornat vide Bridg. 141.

word on him way we

dinance, because against the Statute

of Milita Charte, That no Freeding

the peaks to the Difference of the State and

Athen of Debt might be had for it

the Maker's Jurifdiction.

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that he impolloned, eve. But relolved CHAP.

## CHAP. IV.

Of By-Lams by other Cities and Corporations.

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5 Co.

By the Town of

ING Ed. 6. incorporated the Town of St. Albans, by the Sr. Albans. Name of Mayor, &c. and granted to them Power to make Ordinances: and after, when the Term was appointed to be there, by the Assent of A. and other Burgesses, they assessed a Sum upon every Inhabitant for the Charges of Erection of Courts there; and ordain'd, That if any refus'd to pay, they should be imprifon'd. This was held no good Ordinance, because against the Statute of Magna Charta, That no Freeman shall be imprison'd, &c. But resolv'd that they might have inflicted a reasonable Penalty, and appointed it to be levy'd by Distress, or that an Action of Debt might be had for it,

Refufal and Imprisonment.

Reasonable Penalty to be levy'd by Distreis,

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5 Co. 64. Clark's Case, Vid. Moo. 411.

Pl. 563. Which seems to be the same
Case, and there it appears also the
By-Law was, That if any gave op-By-Lawprobrious Words to the Mayor, he todisfran
should be imprison'd, &c. And per chise for
opproCur', such a By-Law is not lawful, brious
but a By-Law to disfranchise the Words.
Offender might be good, Vid. Moo.
580, &c.

The Company of Taylors of Exe- By the ter, being incorporated by Letters Company Patents of Ed. 4. and having there- for of Taylors of by Power given them to make By- Exeter. Laws, made a By-Law under a certain Penalty, to be levied by Di- To levy stress and Sale of the Offender's by Sale of Goods, and held not a good By- ill. Law; for the Forfeiture cannot be levyed by Sale of the Offender's Goods: Adjudged inter Clark of Tucker, 2 Ven. 182, 183. Vid. 1 Keb.

\*So a By-Law cannot be made So upon under Pain and Forfeiture of the Forfeiture Goods, &c. 8 Co. 127. b. 2 Vent. thereof.

C 5 The

By-Law by the Univerfity of Oxford. concerning Night-Walkers.

The University of Oxford by several ancient Charters having Jurisdiction, tam in Laicos quem in alios, having above 200 Years fince made a By-Law against Night-walking, and being Guardians of the Peace, as well by Prescription as Charter, and having had all their Jurisdictions and Privileges confirm'd by 13 El.made a By-Law, 7 Jac. That whoever, Privilegiatus five non Privilegiatus, should be taken walking in the Streets after 9 a Night, and having no reasonable Excuse to be allow'd by the Proctor, &c. should forfeit 40 s. &c. And a Townsman being taken abroad after that Hour, and demanded the Reason thereof, refus'd to give any Account, whereupon, causa Contemptus & ad Morum or an Act Reformationem, a Libel was exhibited against him in the Chancellor's Court; and whether this was a good By-Law, dubitat', because without an Act of Parliament, or express Prescription, a Corporation cannot make a By-Law to bind those which are not

Not to bind a Stranger without Pre-Scription of Parliament.

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of the Body, and Justices of Peace have no Conusance of Matters out of their Jurisdiction: And a Prohibition was granted, to the end the Merits should be tried, Paf. 32 Car. 2. Dodmel's

Case, 2 Vent. 33.

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One Goodyer brought an Action of By-Law Trespals against Shaw for an Asfault by the and Battery, and wounding of his Lock-Servant, and taking 12 Plate Locks: Durham. The Defendant pleaded not Guilty to the Affault and Battery, and Wounding, and as to the taking away of the Locks, he pleaded a special Plea of Justification by Vertue of Letters Patents of Incorporation granted to the Locksmiths of Durham, by Cuthbert Bishop of Durham, who had Jura Regalia within the County Palatine of Durham, and that by Vertue of this Charter, the Locks being not good, he as War- away bad den of the Company did take Locks, them.

To take

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To this Plea the Defendant demurr'd, and shew'd for Cause, That it appears not by the Plea, that the Black miths are a Corporation created by the Bishop, but only that the Customs us'd amongst them in order to the regulating their Trade, were confirm'd by the Bishop, which doth not make them a Corporation, Plow. F. 199. Longquint, fo. 40, 41.

2. That it doth not appear by the Charter, that they had any Authority to take away ill-made Locks; and therefore Judgment

was pray'd for the Plaintiff.

No fuch the Company ap-

The Chief-Justice Rolls said, that Order of there did not appear any Order to be made by the Corporation to take pear'd to away the Locks, and therefore it be made. Was done without Warrant, the' the Corporation had fuch a Power; but besides that, it would be very hard to maintain the Locksmiths to be a Corporation, because the Bishop confirm'd their Orders, and fo Judgment order'd for the Plaintiff, nifi, Stiles Rep. 298.

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The Corporation of Taylors in By the Ipswich, by Force of the King's Parent, Taylors of which give them Power to make By-Laws for their better Government, fo that they, according to the Law of England, make a By-Law, That none shall exercise the Trade of a Taylor in Ipswich, who was not allow'd by lawful Warrant, or Authority given by the said Corporation, or 3 of the Masters and Wardens, nor should set up any Shop for this Art, nor should exercise it, until such Time as they had presented themselves to the Master, &c. or 3 of them, or prove that they had ferv'd in this Trade as an Apprentice for 7 Years, and if any did contrary, that he should forfeit 31. to the faid Corporation, and this was held a void By-Law, because by this none should exercise this Trade without their Allowance. and therefore because 'tis not known what Proof is sufficient within the By-Law, adjudged, P. 12 Jac. B.R. 11 Co. 53, 54. 1 Rol. Rep. 4, 5. 1 Rol. Abr. 364, 365. Pl. 7. As to the Proof.

Proof, it could not be by Oath, for they had no Power to administer such Oath; and if to be by Indentures and Witnesses, perhaps the Corporation would not allow thereof, for which the Party would have no Re-

Judges in medy; besides, by the By-Law they their own are made Judges in their own Cause, Cause. which is unreasonable, Godb. 254.

I Rol. Rep. 5. Bridg. 142.

What is If a Servant makes Clothes for his not exercising the is not exercising the Trade. by 1 Rol. Rep. 4. Godb. 253. 11 Co. 54. 8 Co. 159.

A Points In the aforesaid Case of the Tayagreed. lers of Ipswich, it's said, the 4 Points following were agreed upon by the

Judges.

10011

By ComI. That at the Common-Law, mon Law none may be prohibited to exercise none pronone pronorant Trade, altho' he hath never hibited to been an Apprentice to it, or be ignorant; but that if he misso any
Trade. Thing in it, an Action of the Case lyeth.

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2. That this Ordinance, for so After nuch thereof as is not prohibited by 7 Years Apprenhe Statute of 5 Eliz. is against Law, ticeship or after 7 Years Apprenticeship he he may nay exercise his Trade without the trade, &c. Allowance of any.

3. That the Statute 5 Eliz. doth Private not prohibit the private Exercise of Exercise any Trade in a Family: This is of a Trade.

therefore out of the Ordinance.

4. That the Statute of 19 H. 7. No Or-Cap. 7. doth not corroborate any dinance Ordinance against Law, altho' it be against allow'd according to that Statute: roborated But the Allowance dischargeth the by 19 H. Penalty of 40 l. for the putting of 7such an unlawful Ordinance in Use.

It seems that if a By-Law be By-Law made by Victuallers incorporate, by Victuallers and by compact, not to sell their allers, Sc. against Victuals but at certain Prices; or stat. 2 & if the Corporation be of Artificers, 3 Ed. 6. Workmen, or Labourers, and they 15. conspire and make a By-Law, to work to such a Proportion, or such a Rate, that this is void, Stat. 2 & Void. 3 Ed. 6. 15.

So to refirain Mafons, Carpenters, Bricklayers, Plaiste
fons and
other
TradesTradesmen, Sc. burners, Brickmakers, Tilemakers,
Except in Plummers, or Labourers. Strangers
London. that are not Freemen, there to work
in the Place, except it be in the City of London, is not Good, Stat. 2 &
2 Ed. 6. 15.

Where the Mayor is to be chosen by the Commonalty,

It's faid, that if there be a Corporation made and incorporated by the Name of Mayor and Commonalty, and by the Charter the Mayor is appointed to be chose by the Commonalty, and in the faid Charter there is a Power given to them to make By-Laws, for the better Order and Government of the faid Corporation: They may make a By-Law, that a felect Number of the Commonalty shall be chose, by whom the Mayor shall be chosen, for the Avoidance of popular Confusion, Mich. 40, 41 Eliz. 4Co. 78. The Case of Corporations, Fenk. Rep. 273. per Cur'.

For Avoidance of popular Confu-

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The control of the control of the charles of the control of the control of the charles of the ch

Trace within the last Town for

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Law, is unterly void. Fire. Rev. 28;

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But where Members of Parlia-Election ment are to be chosen by all the of Mem-Commonalty, the Election cannot Parliaby a By-Law be given to a select ment. Number, for free Elections of Members of Parliament are pro bono publico, and this is not to be compared to the Case of Elections of Mayors, &c. 4 Inst. 48, 49.

CHAP:

But where Members of Pa

## CHAP. V.

Of By-Laws for Restraint of Trade.

Stat. 28 Hen. 8. Cap. 5. No Apprentice, &c.

By Law by the Corporation of Weavers in the Borough of Newberry. No Apprentice or Journyman shall by Oath or Bond be compell'd not to keep any Shop, &c. without Licence of the Masters, &c.

A By-Law by a Corporation of Weavers in a Town, to restrain Apprentices educated in the same Trade, within the said Town, for 7 Years after the making of the By-Law, is utterly void, Hob. Rep. 285. Fo. 211. I Brownl. 49. Hut. 6. Moor 869. Pl. 1205. And this was the Case of the Wardens, and Society of Weavers in the Borough of Newberry, against John Stapes, for Debt.

Set forth their Incorporation, & Stat. 19 H. 7.

Wherein they set forth their Incorporation by Queen Eliz. with Power to make Laws and Ordi-

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nances agreeable to Reason, &c. and Power to inflict Punishment by Imprisonment, Fine, or Amercement upon the Offenders, and also recite the Act of 19 H. 7. Cap. 7. for Allowance of fuch By-Laws, and then shew that one Cuthbert Goodwin and John Hame, Wardens of the said Society, with the greater Part of the said Society, 1 Maii, 45 Eliz. made divers Laws and Ordinances for the better Government of Wea- By-Laws vers, and that 18 Nov. I fac. The made and faid Orders were confirm'd by the confirm'd. Lord-Chancellor, Lord-Treasurer, and Lord Anderson, one of the Chief-Justices, among which one

'That none should use the Art of stance of Weaving within the said Borough, the Byor should have any Loom in his

'House or Possession, to have any

Benefit thereby, unless he had been an Apprentice to the said Art with-

in the said Borough for the Space and Term of 7 Years, or had us'd

the said Art within the said Bo-

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'rough for 5 Years, before the ma-'king of the said Ordinance, or 'should be admitted thereto by the 'Wardens and Society, upon Pain of

Forfeiture for every Month 20 s.

Defendant's Plea. The Defendant pleaded nil debet, and after Verdict for the Plaintiff it was mov'd in Arrest of Judgment, that this Ordinance was not reasonable; and upon Arguments and Conference, without Arguments at the Bench, it was agreed, that the Ordinance was against Law, and therefore Judgment against the Plaintiffs.

Judgment against the Plaintiffs.

With the Reasons thereof.

And the Lord Hobart, in Hill.

15 Jac. declar'd, that they were all of Opinion that Judgment should be given against the Plaintiss, and he repeated the Case, and the Reasons of this Judgment, because the Ordinance was, That none should use the Trade of Weaving, nor have any Loom in the Town, unless he had serv'd, &c. before the making of that Ordinance; so that all Apprentices

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prentices which serve after should be excluded, unless they should be admitted by them, which was unreasonable: And the Plaintiss did not convey to themselves any good Title to be Wardens; but as to the principal Point of making such restraining Ordinance, it seems the Court did not deliver their Opinion. (See after.)

So that it appears a New Cor- A new poration, not having any Prescription, Sc. Corporation to appropriate to themselves and exclude others, cannot make exclude a By-Law, to exclude all Persons others from using any Art or Trade in who servided in their Town, to which they were another not Apprentices in the same Town, Place. they have servid as Apprentices to it in another Place, Hob. ut supra, 285. inter Norris & Stapes.

But a By-Law founded upon Aliter of Prescription or Custom, may re-aBy-Law strain a Man from the Exercise of sounded his lawful Trade: And for this, Prescripvide Raym. 294. Cart. 69, 2 Brownl. tion.

178,

Prescription, yet this shall not be carried further by a By-Law, than the Prescription warrants, Cart. 68, Gc. 114, Gc. Bridg. 140, 141.

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One Vide Bridg. 141. Whether a Byworking Law to restrain a Trade shall exfor his own private Use. See also 3 Mod. Rep. 193.

CHAP.

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## CHAP. VI.

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By-Laws concerning Common, &c.

IF there hath been a Court, (which Of a is call'd Curia Legalis) held by Court the Lord of a Mannor Time out of Carl'd Mind, in a great Moor, Part of galis. the Mannor, (in which many Men have Common) for the better ordering of the Common there, at which Court all the Commoners ought to appear by the Custom, and there hath us'd to be a Homage sworn by the Steward, which Homage hath us'd to present all Oppressions and Offences in the Common; and to make By-Laws In which and Ordinances for the better or-By-Laws dering of the Common, which Or- are made dinances the Commoners ought to for the better orobey, under a reasonable Penalty dering upon them, to be affesid, to be the Comforfeited to the Lord, &c. And mon of the Homage sworn, make a By-nor. Law.

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By-Law, That no Commoner shall put his Sheep within Part of the Moor, under the Pain of 3s. 4d. And For- to be forfeited to the Lord, and feiture to this By-Law is publish'd and prothe Lord. claim'd in Court: This is said to be a good By-Law, and shall Shallbind bind all the Commoners, because this By-Law arose out of a Cu-Commoners, it stom, which began by Consent of Parties. Also this does not take out of a away all the Common, for he Cuftom by Conmay have Common for other Cattle; and that more abundant: Also he is not restrain'd as to Sheep in all the Moor, but only in one Part; and this is in Nature of an Act of Parliament, as Time and Occasion requires; as perhaps by Innundation or other Occasion it may be inconvenient for Sheep; and at another Court, when the Occasion is taken away, Shallbind it may be alter'd: And this shall the Ho- bind as well Homagers as other magers, Commoners : And this is not like

an Act of Parliament.

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ke he the Case of D. 15 El. 322. & 2 H. 4. 24. b. Fitz. Custom 10, Br. 12. 1 Rol. Abr. 560. Pl. 4. because there the Commoners had their Common at the Will of the Lord only, and in this Case the Commoner ought to take Notice of this By-Law, without any particufar Notice given to him, or otherwife he shall forfeit the Penalty, for Because that he ought to appear at the proclaim-Court; and the Custom is alledged cd in Court. to be, That if the By-Law be proclaimed, that it shall bind all Commoners, and this is a personal Thing: Adjudged in Error, Trin. 14 Car. B. R. inter Tinteny & James, concerning the Mannor of Somerton in the County of Somerset, Vide Cro. Car. 497, 498. 1 Jon. 421. Cart. 178. 1 Rol. Abr. 365, 366. Pl. 8.

Where by such a By Law the Regula-Common may be regulated, but ring of a not absolutely taken away, Vide Common.

3 Leon. 264.

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To he in the Nature of a By-Law. And that Regulation is in the Nature of a By-Law, as that Commoners shall not put in their Cattle till such a Day, &c. I Leon. 190. I And. 234. Cart. 178. 3 Leon. 38.

By-Law against keeping Steers in a Common, &c.

A By-Law was made, That no Tenant should keep in the Commons of the Mannor any Steers, above the Age of One Year, under the Penalty, &c. And because this tended to bind the Inheritance of the Common, as to this manner of Cattle it was judged void, I And. 234. I Leon. 190. because it is against common Right, where a Man hath Common for all commonable Cattle, to restrain him to one Kind of Cattle, &c.

Upon a Custom and By-Law to repair a Bridge. In the Defendant makes an Avowry, that the Dean and Chapter of Westminster was seized of the Mannor of D. in Fee in jure Ecclesia; in which Mannor is a Custom, That all the Tenants of Lands in E. (having Common of Pasture to their Tenements

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Tenements belonging) have used to repair a Bridge in E. Also another Custom for the Steward, with the Assent of the Homage to make By-Laws, and impose Penalties, and the Lord to distrain, &r. And sets By-Law forth a By-Law fo made for the made to Inhabitants of D. to repair the repair, or Bridge on Forseiture of 5 l. That ture of 54 the Plaintiff was Commoner and Inhabitant, and had Notice; That it was afterwards presented that the Bridge was not repair'd, and thereby a Forfeiture of 5 1. to the 54 for-Lord, and so justify the Distress, feired and Bir. de injur. sua propr. alsq; tali cau- Distres fa. Defendant demurs, Lev. Ent. upon the 154, &c. and the Replication was Defenheld good without any particular dant, &c. Traverse; only Justice Levinz said it was ill, being Multifarious, for the Conusance contain'd the Title of the Mannor, the Custom, the By-Law, and not doing the Bridge; but all held the Conusance ill: First, For a Steward to make By-Laws,

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The By-Laws ought to be made by the Homage, be levied on one Man in particular.

Laws, and the Homage only to confent, when as the By-Laws ought to be made by the Homage. ady. By imposing a Penalty upon a Township, and levying it on one and not to particular Man, who had no Remedy by Contribution; fo Commoners of Sewers cannot impose Penalties by Townships, but by Headships: Whereupon Judgment was given for the Plaintiff, 3 Lev. 48. Vide 2 Saund. 285.

Upon a By-Law for inclofing Land in a common Field.

Defendant avows for a Penalty forfeited for breaking of a By-Law made in a Court Baron; for inclosing Lands in the common Field, the same Year that it ought to lie fresh, without the Consent of the Tenants having Common there; Plaintiff protesting, that there was no such Custom, and that it was not presented by the Homage that the Plaintiff had inclosed; pro placito that he took the Cattle de injur' fua propr', and traverses that the Homage made the By-Law, and

and Issue thereupon, Winch Entropo. Wide Moor 75. Still ban , mosto) h

It is faid to be a good By-Law, Forfeias at first observ'd, (where there is ture by a Custom for the Homage of a one of the Homage, Mannor to make By-Laws, for the npon a better Ordering of the Tenants, By-Law O.c.) That none shall put his Cat- for puttle into the Common before the ting Cat-Farmor of the Rectory of the Man-Common. nor had toll'd a Bell in the Belfry of the Church there, upon pain

tle into a

of 10% (for it feems the Reason is, that he is not Lord, but hath Common there with the other Tenants, or no Common, and so is indifferent.) D. 15 El. 321. 23. adjudged

upon Demurrer against him, who was one of the Homage who forfeited the By-Law, Vide 1 Rolls

Abr. 366.

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It is held not to be necessary, Where That the Breach of a By-Law made Breach of the Byby the Homage, according to a Law need Custom, should be presented by the not be Homage, adjudged, D. 15 Et. 322. presented.

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Where it shall be intended upon diffrain.

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That if a By-Law be made by a Custom, and that for want of Observance one shall forfeit, for whom to which the Lord shall distrain, and does not say whose Cattle, scilica, the Cattle of the Offender, yet it shall be intended, and therefore good. D. 15 Eliz. 322. 23.

By the Custom Commoners may

MAN HOLE By-Law make a By-Law, that they do not made by put in their Cattle before such a Commoners ac-Cuftom.

Proclamation.

Day; and if they do, that they cordingto may be distrain'd : And tho' all the Neighbours will not come; yer if Proclamation be made to do it, those who make Default shall be bound, as well as those that appear, 44 Ed. 3. 18, 19. Filz? Avonry 74. dubitat' whether it may be without the Affent of all; and Broo. Tit. Custom 6. fays there is a Diversity; where it is in Court, and where not; for it is

> us'd to bind in all base Courts in England. Vide Goulf. 79.

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That fuch By-Laws, for the bet- May be ter ordering of the Common, by made ar Custom may be made at the Leet,

7Cart. 19. 2 Keb. 367. Palm. 396.

Tenants of a Mannor may make Such Tea By-Law to bind themselves, but nants of a not Strangers; and this feems to be may bind intended by Custom, 21 H. 7. 40. them-Fitz. Prescription, 67. Br. 40. And selves bet for the general Learning, where not Stran-Strangers may be bound or not, gers. Vid. Moor. 579. Dal. 103. Sav. 74. Godb. 180. Cirt. 179.

It's faid, (as first observ'd) The By-Laws Inhabitants of a Town, without any for the Custom, may make By-Laws for Repair of Churches, the Repair of their Church, High-Highways, or such other Thing which ways, &c. is for their publick Good; and in fuch a Case the greater Part; withour any Custom, shall bind all, 5 Co. 61. Moo. 579. Cart. 578: 2 Brownl. 288. For they are by the

Common-Law, as it were, incorporated for fome Necessities, both common and peculiar to that distinct Bo-

dy, Hob. 212. 1 Mod. 294.

But

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Where there must be a Cuftomto warrant the By-Laws concern-

But that Inhabitants of a Town for their private Profit, as for the better ordering of their Common, &c. can make no By-Law without a Custom, and then the greater Part fhall not bind the rest, unless waring Com- ranted by the Custom, 5 Co. 63. mon, &c. Mo. 579, 584. 3 Leon. 265. Dal. 103. Godb. 50. Sav. 74. Cart. 178. 2 Brownl. 288.

And by Co. Lit. 110. b. The Reparation of a Church is of a private Nature, for which such Custom may be alledged.

#### PLEADINGS.

f. Debt upon Breach of a By-Law, made by a Corporation of Cambridge, who had divers Charters, &c. And one after the making the By-Law, &c. By which By-Law it was ordain'd. That if any of the Common-Council should voluntarily refign, &c. he should immediately pay to the Use of the Corporation 10%. And that the Defendant

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fendant had resign'd, &c. and had not paid, &c. Bar by Nil Debet, and Issue thereupon, and Verdict for the Plaintiff.

And after Verdich, the Plaintiff

moved in Arrest of Judgment:

i. That no Resignation could be, but only to the Mayor, &c.

2. That the Resignation ought to have been by Deed, for that the

Defendant had Freehold.

3. That no Notice was given to the Defendant of the By-Law, and that he was no Member of the Corporation at the Time of making thereof.

4. That the Corporation which was at the Time of making the By-Law, was dissolv'd by the last Char-

ter.

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But all the said Objections were over-ruled, and Judgment was given for the Plaintiff, Vide I Lut. 402, 405.

o Person not being a Freeman, &c.

should use his Art, &c. within the Borough: Upon Demurrer to the Declaration, it was adjudged a bad By-Law, and the Desendant had

Judgment. 1 Lut. 562.

In Trespass, the Defendant justifies the taking of the Goods upon a By-Law, by the Taylors of the City of Litchfield; That if any of the Fraternity should be absent at a common Dinner, he should pay fuch a Proportion to the Stock as the Master should pay at the Dinner, upon Pain of forfeiting 3 5. 4 d. with Power to distrain: That the Plaintiff forfeited and did not pay; whereupon, &c. Plaintiff demurs: And Judgment for the Plaintiff, because no Notice was given, nor precise Demand made of the same Sum, which the Master had paid, Vide 2 Lut. 1320, 60.

By-Laws; See 1 Bro. 170. Lev. Ent. 154. Winch 900.

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In Cur', Baron vel Manerii, I Bro.

170. Lev. Ent. 154.

In Cur', Antiqui Burgi, Thomps.

115. 1 Lut. 562.

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In Cur', Corporationis, Winch Ent. 252. Rob. Ent. 205. 2 Lut. 1329.

Clift. Ent. 901. lis Idem 902.

3 Lev. 276.

See Rob. Ent. 207. An Action of Debt brought by the Master, Wardens and Community of Shipmrights of Reddrith, for a Fine imposed upon the Defendant for not appearing, c. Defendant pleads in Bar, that he was a Freeman of the City of London, of the Fraternity of the Shipwrights, who had the Care for the Government of the Fraternity, and that as one of the Fraternity he ought to be attending there; wherefore he denied to be a Member of their Corporation, Plaintiff demur'd, and Judgment for the Defendant upon the Demurrer.

J. Debt by the Master and Wardens of Merchant-Taylors, for a Fine imposed

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imposed upn the Defendant, in resufing to be of the Livery: Defendant confesses he was admitted a Freeman of the Fraternity; but by their Constitution, no Freeman is obliged to observe their Laws, or pay any Penalties assessed upon him, unless he was sworn to observe the Laws of the said Fraternity, Winch Ent. 253.

If. See the 2 Pentr. 244. Debt was brought by the Mayor and honest Men of Guilford, for a Penalty, in breaking of a By-Law. Defendant pleaded the Act 13 Car. 2. in Bar, viz. That no Person should be chosen to any Office, who within one Year before such Election had not taken the Sacrament according to the Church of England; and that he the Desendant had not received it, whereby he was uncapable, and that the Election was void, and Demurrer thereupon.

Note, For several Matters relating to Actions of Trespals, &c. for seizing

zing Tradesmen's Goods in Fairs and Markets; with several Justifications and Pleadings therein: See Thomps. Em. 302. concerning feizing a Piece of Leather, upon Pretence of Tolnage for a Stall in a Fair.

ff. Idem. 386. For taking the Twentieth Part of every Bushel of as were meet well baken; be

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f. Lev. Ent. 215. Concerning cutting of Butter for want of Weight.

f. For taking away a Piece of Cloth in a Fair, under Pretence of Toll. Bro. Rediviv. 479.

f. For taking Two Hats in a Fair, under pretext of Stallage-Money, 3 Lev. Rep. 224. Judgment for the Defendant on Demurrer.

f. For the taking of Twenty Measures of Malt in the City of Bristol, by Pretext of a reasonable Toll appointed by the Mayor; and upon Plaintiff's Demurrer to the Defendant's Rejoinder, Judgment was given for the Plaintiff, for that no Toll is due by the Law for Goods Goods fold, except by special Cu-

stoms, 2 Lutw. Rep. 1329.

f. Upon an Action of Trespass for taking away spiced Cakes in a Market in London; and Defendant justifies by a Custom in the City, under the Company of Bakers, for taking away fuch Foreigner's Cakes as were not well baked; but Judg. ment was for the Plaintiff upon a Demurrer, because it was not aver'd that the Cakes were infufficiently baked, 2 Lutw. Ent. 1374.

J. For taking and chafing Six hundred Sheep, &c. in a Fair; the Defendants justify for Toll. Plaintiff prescribes, that as Inhabitant of, &c. he was free from Toll. Defendant demur'd, but Judgment for the Plaintiff, for the Prescrip-

tion was good: Idem 1377.

f. The like for taking away Corn. Defendants prescribed for Stallage and Toll of the Corn being fold; Plaintiff replied, de injur' sua propr', and traversed, the Corn being fold

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fold within the Market; and upon Defendant's Demurrer, Plaintiff had Judgment, for that no Place was expresly alledged where the Corn was sold. *Idem* 1498. See there 1517. upon a Prescription in a Dean and Chapter, for taking away Goods for Stallage in a Fair.

J. Trespass for erecting a Stall in a Market-place by a Butcher to sell his Mear there. Vide Levinz Ent. 194. See also Bro. Rediviv.

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See concerning the Buying and Selling of Live Cattel in Smithfield before Nine a Clock, where Defendants in Trover justify taking such Cattel sold, as being forfeited to the Mayor of L. Thomps. Ent. 380.

See also concerning Custom of Buying and Selling in open Shops in London, Thomps. Ent. 62. Rob. Ent.

Df the Pature, &c.

Ent. 24, 30. Winch Ent. 109. Treatise of Trover, 156, 161. Infruit. Chrit. 3 Part. pag. 289, 294, &c.

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A. Trespass for enosting a Stall in a Market place by a Butcher to

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interest and other seconds.

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See allo concerning Cultument Buying and Selling in open Shops in Lordon, Electric Ent. 62. Ent.

## LAWS

CONCERNING

Trade, and Tradesmen.

The Second Part.

# COLLECTION OF THE

Statute-Lam.

THAT

Concerns Merchants, Tradefmen, and Artificers.

#### In the SAVOT:

Printed by J. Nutt, Assignee of Edw. Sayer Eig; for J. Walthoe in the Mid-dle-Temple Cloysters; and are to be fold at his Shop in Stafford, 1712.

## LAWS

rade, and Tradefmen.

Che Brenno Pare.

# COLLECTION

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Stainte-Law,

Concerns Merchanis, Tradefinen,

In the Advor:

Printed by F Mate, Assence of Edm.
Soper Enq. for F. Weldberin the Middle Tamele Ciontiers: and are to be
lold at his shop in South His 1872.

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# Penal Laws

Concerning

#### TRADESMEN.

## A Dialogue, &c.

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Informer, Landlord, of late you look formething strange upon me, I wonder what is the matter, and would willingly know the reason.

Landlord, Truly, Sir, the you have hitherto carried your felf pretty Civilly amongst us, yet I must desire you to provide your felf other Quarters; for since your coming to my House I have lost many of my Customers, and that because you are reported to be a Publick Informer, and especially to have said in your Discources.

B

— That

- That if any Inn-keeper, Victualer or Alehouse-keeper shall suffer any person, dwelling in the Town, Village or Hamlet where fuch Inn or Alehouse is, to remain or continue drinking there (other than for urgent occasions, allowed by two Justices of the Peace) he shall forfeit to the Poor there for every such Offence proved by two Witnesses upon Oath, or seen by a Justice of Peace of that Limit, the penalty of Ten Thillings - Thele things being directly against my Interest, I must therefore defire

your absence.

1 Fac.I. cap. 9. confirm 1 Car. 1. cap.4.

Inform. Sir, What I have formerly faid concerning Inns or Alehouses; is true; and is provided for by the Laws of this Land, particularly by a Statute in the first year of King James the First, Chap. 9. But nevertheless, the Statute is not so severe as you would suppose it, neither did I so make mention; for it allows, That such persons as are invited by Travellers to their Inns or Quarters, may accompany them during their necessary abode there: Also Labouring. men and Handicrafts-men(tho' not Lodgers) are allowed an Hour at Dinner time in such Houses; and such Labourers and Workmen, which for following their Work, lodge and victual in those Houses, are excepted. Thus you may perceive my words have been taken in the severest sense, and so are my actings too; for I never yet took any advantage against such as were reasonable

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their doings, but only against notorious Offenders, such as continue drunkening at late and unseasonable Hours, or in time of Divine Service, prophane Cursers and Swearers, and the like, many of which have good cause to thank me: For I believe it was a means to save them from ruin and destruction.

And we find by fad Experience, that most who come to a bad or untimely End, confess that their ruin sprung from such evil Practices; and it is so reported of one to

whom you were near related.

Besides, these Penalties and Forseitures are sounded upon Laws made by the great Wisdom of the Nation, who well knew the want of them; and as for your Objection against Informers, you may as well object against the Laws themselves, which have given them Authority; nay more, have encouraged and rewarded them as Men well deserving of their Country, so long as they observe such Rules and Precepts as the Law prescribes; and do nothing out of base designed Ends; and if any such there be, Remedies and Punishments are also provided against them too.

Also you know, That no man will accuse himself, neither is any Man obliged thereto; therefore informers are absolutely necessary, that such notorious Transgressors may be brought to condign punishment, without

which there would be no living.

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Yet as for these Matters of Tipling, with which you charge Informers, I must tell you they are feldom by them taken notice of: because the Law has provided, That all Constables, Churchwardens, Headboroughs, Tithingmen, Ale-Conners and Side-men. shall be charged on their Oaths, to present at the Quarter-Sessions in Corporate Towns, and in Leers, the Offences committed against 1 Jac. 9 and 4 Jac, 5. and thereby one Witness, or the parties own Confession, shall be sufficient to prove the breach of 1 fac. 9. and 4 fac. 5. and the Oath of the party Confessing, shall be sufficient to convince any other. awa Langu Lai

Landl. I must confess, that upon serious Consideration, what you have said concerning the care and encouragement of the Law feems very good and reasonable; and 'tis true, I had a near Relation (as you hinted before) that came to an untimely End by following such evil Courses as those you named. Pray, what Punishment is there provided against the Tiplers and Drunkards that come into our Houses, many of which think it a great Affront, when we tell them .001 the 11

they flay too long?

Inform. Why truly, by the Statute of 4 Fac. 1. cap. 5. A Town-dweller, who is Convict to fit Tipling in any Inn, Victualling-house or Ale house, by the view of one Justice, or the proof of two Witnesses, shall forfeit Ten Greats, to be levied by distress distress and sale for the Poor; and if he be not found able to pay it, he shall be put in the Stocks for Four Hours.

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Also if one be convicted of Drunkenness in Court, or before a Judge or Justices in their several Limits, he shall fortest 5 s. to the Poor, to be levied as aforesaid; and in case he be not able to pay it, he shall be put in the Stocks for Six Hours. But these Offenders are to be prosecuted within six Months.

And by the Statute of 21 fac. 1. cap.7. one Witness, or the parties own Confession, or view of one Justice, shall be sufficient Conviction.

And for the second time, being so Convicted, he shall be bound in 10 l. with two Sureties to the Good-Behaviour.

But none shall be twice punished for the same Offence.

Landl. I see, Sir, you have both Reason and Law on your side, and that it is either Ignorance, or Self-Interest, that makes men prejudiced against you; and withal, I perceive that it is good for every man to know the Laws, at least so much thereof as relates to his own Employment, Trade or Office; and therefore desire you will be pleased to give a further Account of what the Law has provided as to Alehouse-keepers, Inn-keepers and Victualers.

to be advised, I shall tell you in short,

B's

That

I Car.I.4.

That a man is liable to Imprisonment for 6 Ed.6.25. Three days without Bail, if he keep Openhouse and sell Ale without Licence, and to 3 Car. 3. be fined 20 s. for every such Offence, and

to find two Sureties, not to do the like again,

or else to be openly Whipt if he can't pay the Fine; also, he may be disabled for years; if he shall continue tipling in the

7 Jac. 10. Town at any other Alehouse than his own.

And by the Statute of I Car. 1. cap. 4. Vintners, which do also keep Inns or Victualing-houses, shall be taken to be within the Act for Tipling, as also within the Statute of 1 fac. 2. cap. 9. 6 4 fac. 2. cap. 5. But in many of these Points, sew of you have cause to complain of rigor or severity.

So Landlord you see, That there are many Statute-Laws made against such as keep unlawful and disordely Ale-houses, Inns or Taverns, and not without great Reason; such disorderly Houses being the Nurferies of all manner of Vice and Wickedness; for from thence proceed Liars, Curfers, Swearers, Prophaners, and many times Plotters, and what not; but against the Regular and Orderly there is no Law, Pain or Penalty: And therefore! you need not to fear that I, or any other, will or can do you any prejudice, fo long as you continue such. You also are sensible what care hath of late been taken by the Government for the Reformation of Manners, and particularly that of Drunkenness

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and prophane Curfing and Swearing; and we find by woful Experience, that little will avail all the Endeavours of the Reformers, without the aid and affiltance of well-minded and unprejudiced Informers.

And now Landlord, I hope you and all others will for the future have a better Opinion of such fort of Men, who out of a Principle of serving their Country, endeavour to put the Laws in execution; for to censure or condemn the Informers, is to abuse the Law-makers, which none but the guilty or evil-minded will ever do. And if you object, That they make a lively tood of it: I must answer, That the Labourer is worthy of his Hire; and they are encouraged thereto by the best of the Nation, and their Accusers are generally the Trespassers, and therefore not to be regarded.

But that you, Landlord, may not think this Discourse is only levell'd against Men of your Employment; I may tell you, That the Law has ever had a strict Eye over most Mechanicks and men of Trade; as well over the Merchant and Goldsmith, as the Spinner and Weaver: But not to make Comparisons, I say, you are not by your selves, there are many others who are liable to Penalties and Punishments, which I could

inflance, were it convenient.

Landl. I should be glad, Sir, (if your time will permit) to hear you speak something concerning other Trades and Employ-

B 4

ments ;

ments; I perceive you are well versed in these Matters, and rather than you shall think of loss of time, I will in conclusion

present you with a Fee.

Inform. Agreed, Landlord, I will therefore give you a brief Alphabetical account of many of them. And first, I will begin with the Letter A, which signifies Artificers in general; but of them and of Apprentices and Aliens I shall speak hereaster. The next that come in mind are Arrowhead Makers; yet I think their Trade is now of little moment to the Publick, however there is a Penalty on them, and also upon Bowyers, and such Towns as keep not their Buts in good repair, and against such Persons as provide not Bows for their Sons and Male Servants to shoot with.

See at the end of the Dialogue.

Arrow-head
Makers.

Archers.
Buts.

Bow Makers. Also against such as use not their Bows according to the Statutes, to which I will refer you: That concerning Arrow beads is 7 Hen. 4 cap. 7. Those concerning Bowyers, and the making and keeping of Bows, are 12 Ed. 4. cap. 2. confirmed by 1.2 Eliz. cap. 14. But the 8th of Eliz. cap. 10. more particularly concerns the Bowyers of London. 38 H.8. cap. 9. also concerns them and Fletchers, and those that are to exercise Shooting; and of the keeping and repairing of Buts.

Apotheca-

There is also a Statute concerning Apothecaries faulty Wares, to be destroyed by the President and Elects of the Colledge

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of Physicians in London, and Wardens of the Apothecaries, who are authorized to Search the same; and such Apothecary as resists their Search, by the Statute of 32 H. 8. cap. 40. forfeits 5 l. between the King and Prosecutor; and by 1 Mar. Parl. 1. Self. 2. cap. 9. the Forseiture is made 10 l. to be divided between the King and President of the Colledge.

Having spoken of Alemen and Alebouses before, I have little now to do with the Letter A. Such other Matters as concern Inns and Ale-houses, that Brew and sell Victuals, I will speak of when I mention Brewers and Victualers.

Vide Brewers and Victualers

By the Statute of 5 Eliz cap. 12. None Badger, but a Married man and Housholder of the Lader, Age of 30 years (at the least) shall take Kidder, upon him to be a Badger, Lader, Kidder, Carryer, Buyer or Transporter of Corn or Grain, Butter and Cheese; neither he, without Licence, in open Sessions of the County where he hath dwelt by the space of Three years before, under the Hands and Seals of (at least) three Justices, one to be of the Quorum, in pain of \$1. which Licence shall remain in force for one year only from the Date thereof, and all Licenses otherwise granted shall be void.

Note, The Licence also must have the.

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This shall not give liberty to any Badg. er, Oc. to buy Grain out of open Fair or Mirket (to Sell again) unless there be Special Words in his Licence to warrant the fame, in pain to forfeit every time so offending 5 1. The Forfeitures are to be divided betwixt the King and the Profecutor. See 12 Eliz.cap.25.

But by 13 Eliz.c.13. for the Increase of Tillage, &c. other provision is made for the Transportation of Corn. So by 15 Car. 2. cap. 7. and by 22 Car. 2. cap. 13. and by

1 W. & M. Seff. 1.cap. 12.

Next I will speak of Bakers, Brewers, Butchers, &c. And of them the Law fays thus:

Baker. Brewer.

That if any Common Baker, Brewer or Tipler have broken the Affize of Bread, Beer or Ale, he shall be fined by the difcretion of the Justices, &c.

And if any Steward in Leet, or Officer in Market Town, shall take any Fine for such breach of the Affize, where Corporal Punishment is appointed, he shall be grievously

Fined.

If a Baker or Brewer shall break the Affize the first, second or third time, he shall be amerced according to his Offence, except it be great: But if it be great, and he doth offend a fourth time, or oftner, then the Baker offending shall be set on the Pillory, and the Brewer punished by the Tumbrel,

51 H. 3.

51 H. 3. 13R.2.c.8. brel, which shall not be pardoned for Gold nor Silver, says the Statute.

If any Butchers, Brewers, Bakers, Poulterers, Cooks, Costermongers or Fruiterers, shall conspire, covenant, promise or take any Oaths, That they shall not nor will not fell their Victuals but at certain prices; every one of them so offending, being lawfully convicted thereof, shall forfeit for the first Offence 10 l. to the King; and if he 2 & 3 Ed. do not pay the same within fix days after 6.6.15. Conviction, he shall be Imprisoned twenty days, and have only Bread and Water for his Sustenance; and for the second Offence 20 1. and that not paid within fix days, he shall suffer the punishment of the Pillory; and for the third Offence 40 1. and if not paid within fix days, shall suffer the Pillory and lose one of his Ears, and never be credited in Matters of Judgment.

And if such Conspiracy be acted by the Major part of the Company of such Victualers, their Corporation shall be there-

upon dissolved.

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Also, No Brewer shall be a Gooper, nor 23 His as shall by himself, or others to his use, occupy the Mystery of a Cooper, or make Barrels, &c. or other Vessels of Wood, wherein to put his Beer or Ale to Sale; if he do, he shall forfeit for every Vessel made 3 s. 4 d. to the King and the Informer: But this shall not hinder him from keeping a Servant or Cooper in his House, to mend his Vessels.

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He shall sell his Drink at no higher Prices than shall be appointed by the Justices of Peace in the Shire; or by the Mayor, Sheriff or Head Officer of the City, Borough or Town Corporate, where he doth dwell, who have Power by their Discretions, to Sess and Tax the Prices of a Barrel, Kilderkin or Firkin of Ale or Beer.

The Brewer must also take care. That he doth neither directly nor indirectly fell Drink to an Unlicensed Alehouse-keeper, fave only for the expence of his Houshold,

Seat. 4 Jac. 4 in pain of Forfeiting 6 s. 8 d. a Barrel. This Offence to be profecuted in the Quarter-Seffions, and the Forfeiture to be equally divided betwixt the Profecutor and the Poor of the Parish.

No Brewer shall sell, or put to sale in 31 Bliz. 8. London, the Suburbs, or within two Miles compass of the Suburbs, any Beer or Ale in Buts, Pipes, Punchions, Hogsheads, Tierces, or fuch other Veffel brought from beyond Sea, and never lawfully guaged within this Realm; before the same be lawfully guaged, and the true Content fet down thereupon (by the Gallon appointed for Beer and Ale, according to the Standard, by the Mafter and Warden of the Geopers of the City of London, or their Deputies:) Neither shall any Brewer sell, or put to sale, any Beer or Ale in fuch Vellel elsewhere in England or Wales, before the same be lawfully guaged, and the true Content thereof fet thereupon,

thereupon by such as by the Statute of 23 Hen. 8. 4. (which see in Coopers) are to have the Gauging of Barrels, Kilderkins and Ferkins elsewhere in England and Wales, in pain to forseit every such Vessel, and also the Beer and Ale therein, to him that will Seise the same, and besides 10s. for every such Vessel, all which Forseitures are to be divided between the King and the Prosecutor.

This Act shall not extend to punish the Brewer, that shall fill Vessels that are imported, and after they are so filled, are immediately to be exported to be sent else-

where out of this Realm.

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And Note, That they who shall cause any Beer, Ale or Mum, Shipt off in the presence of a Sworn Gauger or Officer to be exported, to be unladen, or put into any 22 & 231 other Vessel in England, Wales, or Town Car. 2. 66 Berwick, shall forfeit the same, and 13-100 l. for every Cask, the one Moiety to the King, the other to the Prosecutor.

The Brewer that buys Hops deceitfully, 1 Jac. 1.10 mixt with any Soyl whatfoever (brought 18. into this Realm, or growing within the fame) and employ them in Brewing shall forfeit the value thereof, betwixt the King

and the Projecutor.

By 12 Car. 2, 23, Common Brewers that once a Month make not true Entries at the Excise Office, forfeit 10 l. Inkeepers 5 l. other Retailers 20 s. belides their als

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lowance of Leakage for a Month; Common Brewers not clearing within a Week, and Retailers within a Month after they make, or ought to make Entries, shall pay double the Duty; but none living in a Market Town, shall be compelled to Travel out, nor living out of one, to Travel to any other place, than the next Market Town in the same County, on the Market Day, to make such Entries and Payments: also such Brewers as will not permit Gaugers to enter in the day, or in the presence of a Constable, or other Officer by night, to take an account of their Liquors, shall be forbidden to Sell fuch Liquors; and if they Sell after warning, or deliver out any of the Liquors, not having cleared the Duty, they shall lose 5 1. besides the double value. And by this Statute 36 Gallons of Beer go to a Barrel, and 2 2 Gallons of Ale.

Offences against this Act, within the Limits of the Office in London, to be determined by the Chief Commissioners, or by the Commissioners for Appeals; and Offences committed elsewhere, by 2 or more Justices of the Peace near the place, or in neglect or refusal by 14 Days, then (upon Notice given to the Offender) by the Subcommissioners; but in such case of Subcommissioners, the party grieved may appeal to the Quarter-Sessions, whose Judgment shall be final. Sentence may be given in these Cases, upon proof, by Confession or Oath of one Witness.

Witness, to be levyed by Distress and Sale of Goods, if not redeemed within 14 Days, and for want of Distress, Imprisonment till satisfaction; the Forseiture may be lessened, but not to less than double the Excise due, besides Costs and Charges; three sourchs to the King, the other sourch to the Informer.

The same Penalties are provided by 12. Car. 2. cap. 24. consirmed by 13 Car. 2.

cap. 12.

And by 15 Car. 2. cap. 11. No Brewer or Retailer of Beer or Ale, without giving Notice at the next Office of Excise, or to one of the Commissioners, Farmers or Subcommissioners within the Limits of whose Office he Inhabits, shall fit up, alter or inlarge, any Tun, Fat, Back, Cooler or Copper, and use them for making Beer or Ale, or Worts, or keep any private Storehouse for laying fuch Liquors in Cask, on pain to forfeit 50 1. for every Tun, oc. and they in whose Occupation any House, oc. is, in which such concealed Tun, de. shall be discovered, shall forfeit 50 1. and such concealed Tun fo discovered or altered, with all Beer, Ale or Worts therein may be seised, and delivered to the Overfeers of the Poor to be fold for the Poors use, or to be distributed amongst them.

The Gauger must deliver to the Brewer a Copy of the Returns he made to the Commissioners, on penalty of 40 n and the Brewer

Brewer may discharge himself, accordingly within a Week after. an in it wood to

If fuch as are appointed to attend and hold Office in Market Towns, shall neglect to attend from 9 in the Morning till 1.2 at Noon, and from 2 till 5 in the Afternoon, they forfeit 10 l. half to the King, half to the Profecutor. And a Tender to make a Payment, or Entry; proved by one Wit-

nels, shall preventa Forfeiture.

No Brewer shall deliver or carry out Beer, or Ale to his Customers in any City, Town Corporate, or Market Town, before Notice given to an Officer of Excise, but between 2 a Clock in the Morning and 9 in the Evening, from the 25th of March to the 29th of September, and between 5 in the Morning and 7 in the Evening, from the 29th of September to the 25th of March, on pain to Forfeit 20 s. for every Barrel fo carried out.

And if any Brewer or Retailer, after Account taken by the Gauger of his Beer. and Ale, o.c. convert small Beer, or small Worts into Arong Beer or Ale, and deliver out the same without giving Notice to the Gauger, or conceal any Beer, Aleor Worts from view of the Gauger, he shall Forfeit

for every Barrel 201.

Such Brewer as compounds for his Exesse shall not Brew, or suffer to be Brewed within his Brew-house, for any other Brewer, any Beer or Ale, without giving notice thereof รวพราเนี

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thereof to the Commissioners, Farmers or Subcommissioners, and paying the Excise, on pain that both he that Brews, and he for whom tis Brewed, shall Forseit for every Barrel 5 l. Half to the King and half to the Informer.

If he bribes any Gauger or other Officer he Forfeits 10 l. which Offences shall be proved by 2 Witnesses, before 2 Justices of Peace, or chief Magistrate of the place where committed; the Penalties to be levyed by Distress and Sale of Goods, by Warrant under their Hands and Seals, and for want of such Distress, the Offender to be committed 2 Months.

One third part of all Forfeitures not herein otherwise disposed, shall be to the King,
another third to the Poor of the Parish
where the Offence shall be committed, the
other third to the Informer: And all Fines
and Forfeitures, for which no remedy is
ordained for the recovery thereof by this
Act, shall be recovered by Action of Debt,
Bill, &c. in any Court of Record, as by
the former Act is directed.

By t W. & M. Self. 1. cap. 241, 34 Gallons of Beer or Ale, shall be reckoned a Barrel of Beer or Ale. Leakage allowed shall be 2 Barrels and a half upon every 23 Barrels within the Weekly Bills of Mortality.

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The faid Act also provides, That whereas 15 Car. z. Enacts, That no Common Brewer shall be prosecuted for any Misentry, if within one Week after the delivery of the Copy of the Gauger's Return, he certifie his Entry made for the Week for which fuch Copy is delivered according to fuch Return, or otherwise discharge himfelf; yet no Brewer shall have any benefit of that Proviso, upon any Information, if it shall appear upon Evidence, that he did not bona fide shew to the Gauger all the Beer, Ale and Worts of every Guile for such time, for which such Copy of the Return was given, or if any apparent Fraud was acted, to defraud their Majesties of their Duty.

Common Brewers and Retailers of Beer and Ale, who contrary to the said Actimade in the 15th year of King Charles the Second, shall use any private Cellar,&c. shall forseit 50 l. for every such offence; and for mixing, concealing or conveying away Worts contrary to the said Act, shall forseit 20 l. a Barrel.

The Gauger must leave true Notes of the last Gages taken with all Brewers, &c. containing the quantity and quality of the Liquors gaged, on pain to forfeit 40 s. for every neglect.

No Information for any Misentry, but within three Months after the offence committed, and Notice thereof shall be given to the their d the In

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to the Defendants in Writing, or else left at their dwelling Houses within a Week after the Information entred.

By the faid last Statute, No Brewer or Retailer of Beer or Ale, shall use in working any Beer or Ale any Molossus, course Sugar, Honey or Composition, or Extract of Sugar, on pain to forfeit all fuch Liquors, and the Sum of 100 l. one Moiety to their Majesties, and the other to the Informer; so as the Suit be commenced within fix -

Months after the Forfeiture incurred.

And by Stat. 2 W. & M. Seff. 1. cap. 2. It is Enacted, That the several Rates, Duties and Impositions upon Beer, Ale or Cyder, and other Liquors mentioned in an Act of Parliament, made in the 12th Year of the Reign of King Charles the Second, Entituled, A Grant of certain Impositions upon Beer, Ale and other Liquors, for the increase of his Majesties Revenue during his Life, (except such of them concerning, which it is otherwise provided by any Act of the last Parliament) shall be paid to their Majesties during their Lives, and the Life of the longer liver of them; in fuch manner and by fuch Rules, and under fuch Penalties, as are directed by the faid Act. And by another Act in the 15th Year of the faid late Kings Reign, Entituled, An Additional Act, for the bester ordering and Collecting the Duty of Excise, and preventing abules therein, or any other Law now in force relating to the Excise.

By a late Statute made in the 8th & 9th of his present Majesty, It is Enacted, That every Common Brewer shall declare to the Gaugers appointed to take account, how much strong Beer or strong Ale, he intends to make of a Guile, and how much small, before any part of such Guile is cleansed, or removed out of the Tuns. And in case any such Brewer or his Servant brewing, or making such Guile shall resuse to make such Declaration, the Gauger shall Return the whole Guile to be strong, and the Brewer shall pay accordingly, and also sorfeit 20 s. for every Barrel contained in such Guile.

If the Brewer or his Servants after such Declaration, make increase of the strong Beer or Ale, or the Gaugers shall find any more Beer, Ale or Worts of the same Guile laid off; the Brewer shall forfeit 5 l. per Barrel so increased, or found laid off, and the Servant or Servants so assisting shall also forfeit 20 s. per Barrel, and in default of payment three Months Imprisonment.

But if upon Information it appear by the Brewers Evidence, that the increase was made by adding Beer or Ale lest in the Brewhouse of a former Guile, the Brewer shall incur all the Penalties, except it be proved by Oath of one or more Witness, that the Beer or Ale so added, was added in the sight

of the Gauger.

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If it appear any Brewer mixes new small Beer, or old returned Drink to the strong Beer or Ale remaining of a former Guile, and then add it to the next Guile, the Gauger may Return all so altered and added, as if never charged before.

Every Common Brewer having any Pipe, or Stop cock under Ground, or other private Pipe or Conveyance, by which his Beer or Ale, or Worts may be conveyed from one Tun or brewing Vessel to another, or out of such Tun or Vessel into any other place, or keeping any hole in any such Tun, Batch or Float by which any Beer or Ale, or Worts may be conveyed into, or out of such Tun, Batch or Float, or any of them, forseits for every Offence the sum of 100 l.

For discovery of such Pipes and Stop-cocks, and other private Conveyances, the Gaugers and Officers of Excise may with a Constable, &c. in the day time, upon request made, break up the Ground, make search, and upon finding follow the Conveyance, cut the Pipe, and turn any Cocks to examin the matter; and if no Conveyance found, shall make good the Ground and satisfaction to the Owners. Also the Brewer, or person resisting, shall forfest for every offence so l.

Notwithstanding such Conveyances may be kept publickly above ground in open view.

The Common Brewer that shall fet up private Backs and Tuns, Batch Float, Cooler or Copper, or alter or enlarge any such, without notice first given at the next Office of Excise, and keep fuch concealed, forfeits for each the fum of 200 l

Every Common Brewer of Ale, or maker of Cyder, &c. who delivers to any Distiller or Vinegar maker any wash, Tilts; Ale, Beer Vinegar, Beer or Cyder, without first giving notice to the Gauger of the Division or District of the quantity intended, and when, and to whom, shall forfeit for every Barrel 20 s.

Vide after in Distillers.

All Fines, Penalties and Forfeitures by this Act imposed, shall be sued for, recovered and levied by fuch ways, means and methods, as any Fines, Penalty or Forfeiture, is or may be recovered by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint or Information, in any of his Majesties Courts of Record at Westminster, one Moiety to his Majesty, the other to him that shall Discover, Inform or Sue for the same.

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If after the 25th of March, any Stat. 7 & Common Brewer, Innkeeper or Victualler 8 W. & M. fhall cleanse, carry out, or remove out of his Brewhouse, any part of his Guile or Brewing of Beer, Ale or Worts, before the whole is brewed off, and be in his Tuns, Backs or Coolers, and until the Gauger shall or might have taken an Account of the same, without giving notice to the Supervisor or Gauger of the Division, he shall forseit for every Barrel of Beer, Ale or Wort so carried out or removed 40 s.

If any Brewer, Innkeeper or Victualler after the faid 25th of March, shall refuse to permit any Gauger in the day time, or with a Constable in the night, to enter his House, Brewhouse or other places used by fuch Brewers; or being lawfully entred, to stay and continue there while his Guile is Brewing, and take an Account of his feveral Worts as they are Brewed off, and fee the strong and small drink cleansed, and Gauge the Tun, or take an account of the Malt, from which fuch Worts are drawn; fuch Brewer for every such Offence shall forfeit 20 l. and the Informer shall not be obliged to prove fuch Brewer did carry, or deliver any part of such Guile of Beer or Ale, before he paid or cleared the Duties for the fame.

If any Common Brewer or Innkeeper after the time aforesaid, shall at or after the carrying out of his Drink, Start or mix any small Beer or small Worts with any strong Beer or Ale, upon his Dray or elsewhere, he shall forseit 5 l. for every such Offence; and the Gauger may taste the Drink upon any such Brewers Dray, wheresoever he shall meet the same, and upon request enter into the Cellar of any Innkeeper or Victualler, and taste the Drink in the same; and if they resule to permit him so to do, the Innkeeper or Victualler for every such Offence shall forseit 5 l.

The Commissioners of Excise and Justices of Peace, respectively upon Information for any Offence against the Laws of Excise, may Summons any person or persons (other than the party accused) to appear before them to give Evidence, and for neglect or resulat so to do, every such person so making default, shall forfeit the

Sum of to L

All Fines, Penalties and Forseitures by this Act imposed, shall be recovered and levied as any Fine, Penalty and Forseitures may be by any Law of Excise, or by Action of Debr, &c. in any of the Kings Courts at Westminster; one Moiety to the King, the other to him that shall discover and Sue for the same.

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First, By the Stat. 3 & 4 Ed. 6. cap. 19?
No Butcher shall Buy any Cattle, and Butchers.
Sell the same again alive, in pain to forseit them, one Moiety to the King, the other to the Informer.

If he Sells Swines Flesh mezled or dead of the Murrain, for the first Offence he shall be amerced, for the second have the Pillory, for the third be Imprisoned, for the fourth abjure the Town.

If a Butcher or other shall gash, or hurt 31 Ed. 1. any Hide of Ox, Bull, Steer or Cow, he shall cap. 7. for feit for every Hide I s. 8 d.

Or if he shall water any Hide except in 1 Jac. 22. in June, July or August, or shall put to sale any that is putrified, he shall forfeit 3 s. 4 d. to be divided betwixt the King and 1 Jac. 22. Prosecutor.

He shall not be both Tanner and Butcher under forseiture of 6 s. 8 d. per day, for every day he continues both Proscssions.

He shall not Kill any Flesh in his Scalding house, or within the Walls of London under forseiture of 12 d. for an Ox, and 8 d. for every other Beast, to be divided betwixt the King and the Prosecutor; This Law extends to all walled Towns, (Carlile and Barwick only excepted,) and 4 M. 7. 3 lastly, for a Conclusion to the Butcher you must know, That by a Statute 15 Car. 2, cap. 8. & 22 & 23 Car. 2. cap. 19. It is provided, That such Butcher as shall C Sell.

Sell, or expose to Sale by himself or his Servant, any Fat Oxen, Steers, Runts, Kine, Heiters, Calves, Sheep or Lambs alive, forfeits the double value between the King and the Prosecutor: And this last Statute is no more in substance, than what had been formerly provided by other Statutes, as 3 & 4 Ed. 6. 19. 1 Fac. 1. 25. But then the Forseiture was only of the Cattel.

See 1 Jac. 2. cap. 17. where the former Act was continued for 7 years, from 24th of June 1685. And by 4 5 5 W. 6 M. the same Act of King James is revived and continued from the 13th of February for 7 years, and from thence to the end of the next Session of Parliament.

And by the aforesaid Statute of 22 & 23 Car. 2. cap. 19. It is provided, That no Jobber, Salesman or other Broker, or Factor, who Sell Cattle for others, shall be allowed, or employed for buying or selling other Fat Cattle, than Swine or Calves, within Eighty miles of London and Westminster, on pain to forseit the value of the Cattle so bought or sold, to be paid by the Owner, and on this farther pain, That the Jobber, &c. shall forseit the value of all such Cattle so bought or sold, or exposed to Sale; but the Statute of 1 Jac. 2. that revives this Statute, provides, That it shall not extend to Salesmen

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Note, That none are to be profecuted upon this Act, but within fix Months after the Offence committed; And the Justices of Peace at their Quarter Sessions shall hear, and determin all Offences in buying, or selling Cattle contrary to this Act, or any other in force; by Inquisition, Presentment, Bill or Information, and make Extracts of one Moiety of the Forseitures to be levied to the Kings use, and award Execution of the other Moiety to the Prosecutor, by Fieri facias or Capias; and the Justices shall proceed, any Writ or Writs of Certiorari notwithstanding.

And yet, if it shall appear to the Justices, that such Prosecution was only for Vexation, they may award the party pro-

secuted treble Costs.

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And Note, That if upon any fuch Profecution, a Question shall arise concerning distance of time or place, between the buying and selling the Cattle, the proof shall be incumbent on the party accused; and if the party accused plead, that the Cattle were his own, it shall be incumbent upon him to prove his property.

I will next speak of Barbers and Chirurtute teons, then of Brassers, next of Brokers, pro-Boatmen, Booksellers, Button Sellers, men

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The fame Statute.

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Statute.

The Barbers and Chirurgeons of London to the are made one Company. But no Barber in London, or within a Miles compass thereof shall use Chirurgery, neither shall any Chirurgeon there use Barbery or Shaving and every Chirurgeon in London shall have a Sign at his Door; and none shall be Barber in London but a Free-man of the Company; the Barber or Chirurgeon offen ding, for every Month shall forfeit ; to be divided between the King and the Profecutor.

See after Tit. Physicians.

Brafer and Pewierer.

After the Barber Chall follow the Bra fier, and to him I will joyn the Pewtern And concerning them the Law is thus:

That if any Pewterer or Brafter shall 4 H. 7, 8. Sell, or Exchange any Brass or Pewin but only in open Fair or Market, or in h House, (unless he be desired by the Buyer he shall lose 10 1. Or if he work any ho low Wares of Lay Metal, which is not a cording to the affize of Lay Metal wrough in London, or fet not his Seal or Mark upo the faid Ware, he shall forfeit the or Moiety thereof to the King, and the other to the Finder.

Again, If any Man (in the Selling Brass or Pewter) use any false Weights Beams, he forfeits 20 s. to be divided above, and in case he be not able to pay he shall be by the head Officer committee in a Priv

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on done to the Stocks till the next Market day, and then stand upon the Pillory.

By the Statute of 25 H. 8.9. None shall Buy or take by way of Exchange, any any Wares made of Tin or Pewter out of the have ber Realm, in pain to forfeit them, and also the value thereof in Money. And Officers may the Search and Seize Wares brought into this

offen Realm contrary to this Act. it 5 l. Alfo, No Stranger Born Also, No Stranger Born shall work any Pewter or Tin in England, in pain to forfeit the same.

> Alfo, No Pewterer shall teach his Trade in a Foreign Nation, in pain to lose the Priviledge of an Englishman.

And Liberties and Placards to wandring Braziers and Pewterres shall be void.

And by this Act the penalty of 10 k. mentioned in the 19 H. 6. 7. and those likewise of this present Act, shall be equally divided betwixt the King and the Finder-

By the 22 H. 8. 4. the Statute of 25 H. 8. cap. 9. is made perpetual: And none shall withstand the search of Brass, Tin, Pewter, &c. in pain of & l. to be divided as in the former Statute.

Also by the Statute of 22 H. 8.7. there are penalties concerning Brass, Copper and Metals, &c. As - That none shall convey out of this Realm, Brafs, Copper Latten, Bell-metal, Pan metal, Gun-metal or Sbroofmetal clean and mixed (Tin and Lead only excepted) in pain to forfeit the double va-

luc.

lue, to be divided betwixt the King and the Prosecutor, and the Landing thereof in Foreign parts, shall be tried and determined in the County where it was Shipped.

Also, None shall Transport such Metal from one part of the Realm to another, before he hath acquainted the Customer where the Ship is, with the true weight thereos; and also given him Bond to the Kings use, of the double value thereos, with Condition to Land it in some part of the Realm, in pain to forfeit the same in manner and form aforesaid; and shall also within eight Months after, bring from the Customer of the place where he Lands it, a Certificate of the Landing thereos, which Customer shall give him or his Factor such Certificate without delay.

The false Customer, that makes a false Certificate in such case, shall lose his place and the value of the Goods concealed.

If the Goods be diminished by Tempest, Enemies or Pirates, upon due proof thereof made to the Customer by the party, his Executor, &c. his Bond shall be delivered, or otherwise discharged.

By the Statute of 2 & 3 Ed. 6. 37. The penalty of 10 l. for every Thousand weight is added to the Forseiture of the double value of Metal, Transported contratry to the Statute of 33 H. 8. 7.

Also to l. for every Thousand weight shall be added to the double of the Goods,

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and the total thereof put in the Bond to be made by the Customer according to the Statute of 33 H.S. 7. which Bond if it want a date, the Customer shall forfeit his place, and the value of the Goods Shipped.

If any Officer of the Ship fuffer any fuch Metal to be Shipped, and not disclose it within three days, he shall forfeit the double value thereof; or if any Customer or Searcher, having notice thereof, do not feize it to the Kings use, he shall lose his

Office, and the value of the Metal.

Also, none shall Lade such Metal but where there is a Customer, in pain to forfeit 10 1, and the Metal; the Forfeitures are to be divided betwixt the King and the Profecutor, and the Statute of 33 H. 8. 7. in all Points not altered by this, is confirmed.

Concerning Brokers, Frippers and Pawn- Brokers and takers, ( I mean not the antient Sworn Pawn-Brokers in London) it is faid, That Goods takers, &c. wrongfully gotten, and fold to fuch Brokers, Frippers or Pawn-takers, or within two miles of London, shall not alter the property thereof.

Also, If a Broker having received such 1 fac. cape Goods, shall not upon the request of the 21. true Owner, truly discover them, how, and when he came by them, and to whom they are conveyed, he shall forfeit the double

value thereof to the said Owner.

But this Act shall not prejudice the anci-C.4.

ent

ent Brokers in London, between Merchants. being Selected and Sworn for that purpole, It being only intended against Frippers and Pawn-takers, who for the most part keep

open Shop.

Those Brokers also, that shall by way of Usury, take above 61. in the 1001. for a year, for the Loan of Money, or other Commodities, or above 5 s. for brokage of a 100 l. or above 12 d. for the making of a Bond, or Bill concerning the some, shall forfeit 201, and Imprisonment for half a year, one half to the King, the other to the Profecutor.

Boatmen men.

As to Beatmen, it is to be observed, and Water- That by a Statute of 20 3 P. & M. 16. out of the Watermen, betwixt Gravesend and Windfor, 8 Overfeers were to be chosen, to keep good Order amongst the rest.

That two Watermen shall not carry any, but where one of them hath exercises that Profession two years before that time, and hath been allowed by the greater part of the faid Quersees, under the known Seal; in pain to be committed to one of the Comp. ters, by the faid Overseers for a Month, or for less time, as the Offence shall deferve.

That no fingle Man which is no Householder, nor retain'd as an Apprentice, or as a Servant for one year at least, shall exercise that Profession betwixt the places aforesaid, in pain of like Punishment.

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The Lord Mayor and Aldermen of London, and the Justices of Peace, within the Counties adjoyning to the River of Thames, upon Complaint of any two of the Overfeers, or of any Watermans Master, have power not only to hear and determin any Offences committed against this Act, and to enlarge any Waterman unjustly punish deby the said Overseers, but likewise to punish the Overseers themselves, in case they unjustly punish any person by colour of this. Act:

Also a Wherry, that is not Twelve foor and a half long, and Four foot and a half broad in the Midship, and sufficient to carry two persons on one side right, shall be forfeit, and the King shall have one Moiety, and the Informer the other.

Again, That Waterman that withdrawshimself in time of Pressing (it being provedby two Witnesses before the said Mayor, Aldermen or Justice, and two of the said Overseers) shall suffer a Fortnights Imprisonment, and shall be prohibited to Rows any more upon the Thames, for a year and a day after.

Alfo, The Overfeers shall not only call the Watermen before them, and Direct them, and Register their Names; but likewise examin their Boats before they be Launched, whether they have due proportion and goodness, according to this Act:

And if the Overfeers refuse or neglect their

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Offices

Office, they shall forfeit 5 1. between the

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King and Informer.

Also, The Court of Aldermen shall Assess the Fares of Watermen, which being subscribed by two of the Privy Council (at least) shall be set up in Guild-ball, Westminster-Hall, &c. and the Waterman that takes more than according to the Fare so assessed, shall for every such Offence suffer half a years Imprisonment, and forseit 40 s. to be devided as before.

By the I fac. 1.16. No Waterman shall retain any Servant or Apprentice, unless he himself hath been an Apprentice to a Waterman by the space of five years before; and not an Apprentice under the Age of 18 years, or for less time than 7 years, in pain to forseit for every such Offence 10 l. to be divided betwixt the King and the Prosecutor.

But this Act shall not restrain Watermens Sons, of convenient growth and strength, and formerly trained up in Rowing, but that they be allowed to serve as Apprentices, and to carry Passengers from place to

place, at the Age of 16 years.

Also, That 8 Overseers shall yearly, upon the first day of March, and the first day of September, cause openly to be Read in the Common-Hall, all their Orders made, or to be made, in pain that every of them, for every such default shall forseit 20 Nobles, to be divided betwixt the King and the Prosecutor.

Concerning Books, Bookfellers and Printers Bookfellers, much might be faid. But the Act for preven-Printers, ting abuses in printing Seditious, Treasonable and unlicensed Books and Pamphlets, and for regulating printing and printing Presses: By an Act made 4 & 5 W. & M. cap. 24. was only continued for one year, from the 12 of February 1692. and from thence to the end of the next Session of Parliament.

As for Button Sellers, they or any other Butter [12] may not cause to be sold, or offer to Sale iers. any Foreign Buttons made of Hair, nor other Foreign Buttons whatfoever, on pain to forfeit the Buttons so bartered, sold or exchanged and under fuch farther Penalties as are expressed in an Act made in 14th year of King Charles the Second, Entituled, An Act probibiting the Importation of Foreign Bonelace, Cutwork, Imbroidery, Fringe, Bandstrings, Buttons and Needlework, one Moiety to the King, the other to the Informer.

Note, The penalty by the aforesaid Act is Forfeiture of 50 l. for each Offence, and the whole Goods fold, exposed or offered to Sale; and the Importers of fuch Goods forfeit 100 % and the Goods imported.

## Butter and Cheesmongers.

By Stat. 3 & 4E.6.21. None (except Innholders and Victualers in their Houses) shall buy any Butter or Cheese to sell again, save only by Retail in open Shop, Fair or Market; and so not above a Wey of Cheese, or a Barrel of Butter at one time, without fraud, in pain to forseit the double Value, to be divided betwixt the King and the Prosecutor.

By Stat. 21 Jao. 1. 22. the Statute of 3 & 4 E.6.21. and so much of the Statute of 5 & 6 E. 6. 14. as concerns the buying and retailing Butter and Cheese, (which see in Fore stallers) shall not extend to the Retailers of Cheese in London, Westminsten or Southwark, having served Seven years in that Trade, not uttering above four Wey of Cheese, or sour Barrels of Butten, at one time, without Fraud.

Justices of Peace in Sessions have power to restrain the Retailing of Butter and Cheese; during which restraint, those that Retail shall be liable to the Penalties of 3 & 4 Ed. 6.21. and 5 & 6 E. 6.14.

By Stat. 13 & 14 Car. 2. cap, 26, the Kilderkin of Butter shall contain 112 pounds neat, or above, of 16 ounces to the pound; the Firkin 56, the Pot 14, besides Casks and Pots. Old and corrupt Butter shall not be packt up with new and sound,

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no Po nor Whey-Butter with Butter made of Cream. No Butter shall be salted with Great Salt, nor more Salt than will preserve it, on pain to forseit the value of the Butter so salte packed, and six times the value of every pound wanting.

Sellers of Butter shall deliver in every Kilderkin, &c. the quantities aforesaid, or be liable to make Satisfaction for what is wanting at the price for which the same

was fold.

None shall Re-pack Butter for Sale, on

pain to forfeit double the value.

All Persons packing Butter for Sale, shall pack it in Casks of sound, dry, well-seasoned Timber, marked, with the weight of the empty Cask, and the first Letter of their Christian Names and Sur-Names at length, with an Iron Brand, on pain to forfeit 10 store every 100 Weight otherwise packed, and so proportionably for greater and lessen quantities.

Potters shall set upon Pots for packing Buter the weight thereof, with the sirst Letters of their Christian-Names and Sur-Names at length, on pain to forfeit 1 s. for every Pot exposed to Sale not so marked. None shall expose to Sale Butter in Pots not Marked, on pain to forfeit 2 s. for every

Pot.

All the faid Offences shall be determined in the Sessions of Peace, or Court of Record of the place where committed, by Action.

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Action of Debt, Information, Indictment or Prefentment; one Moiety of the Forfeitures shall be to the use of the Poor of the Parish where the Offence is committed, the other half to the Informer, besides his double Costs.

Every Suit and Information shall be within four Months after Sale of such Butter.

By Stat. 4 & 5 W. & M. cap. 7. After any Factor or Buyer hath bought Butter or Cheese, and approved the same, the Seller shall not afterwards be chargable with any Penalties in the Act of 14 Car. 2. entituled, An Act for reforming Abuses in weighing

and falle packing of Butter.

Such Factor or Buyer shall set his Seal, or Mark, or Name at length on the Cask in which such Butter is; and in case the same be afterwards exchanged or opened, and the Cask changed, or bad Butter packt up or mixt with good, or any Fraud be committed by the Seller, the Offender being convicted upon Oath before one or more Justices of Peace, or upon his own Confession, shall forfeit 20 s. for every such Firkin and Offence, to be levied by diffress and sale of the Offenders Goods, restoring the overplus, after Charges defrayed: And Constables of Parishes, and Chief Constables of Hundreds, are hereby authorized to levy the same by Warrant under Hand and Seal of fuch Justice or Justices.

Warehouse-

Warehouse-keepers, Weighers, Searchers or Shippers of Butter and Cheefe in any part within this Kingdom, shall receive all Butter and Cheefe that shall be brought to them for any Cheesmonger Free of the City of London, or any other making the faid Commodities, and take care thereof till the same can be shipped, and shall ship it fuccessively, as it comes to their hand, on the next Veffel that shall come to lade Butter and Cheefe for London (except the Owners order the contrary ) and shall receive of the Owners 2 s. 6 d. for every Load, and no more, and so proportionably: And if fuch Person, or their Servant, shall refuse to receive such Goods, or to take due care thereof, or to ship them successively, as aforesaid, they shall forfeit, being Convicted in manner aforesaid, for every Firkin of Butter 10 s. and for every Wey of Cheese 5 s. to be levied as aforefaid.

Warehouse-keepers, Weighers, &c. shall keep Books, and enter therein all Butter and Cheese that shall be brought to them, as it comes, with the time when received, the quantity, and the Owner's Name; and when the Goods are Shipt off, shall make Entries of the time when shipped, the Masters Name, the Vessels Name, and to whom consigned: Which Book shall be open for all persons to see and search grass. And if any Warehouse-keeper, &c. shall not keep such Books, or not make Entries as

aforesaid,

aforesaid, or undue Entries, or resule in the Day-time to produce the Book to be searched; such Offenders being Convicted in manner aforesaid, shall forfeit for every Firkin of Butter 2s. 6 d. and for every Wey of Cheese 2s. 6 d. and for every other the aforesaid Offences 2s. 6d. to be levied as aforesaid; and for want of Goods to levy the Penalties, the Justice before whom such Conviction shall be made, may commit the Offender to Gaol till the Penalties be satisfied.

If Masters of Vessels coming to lade Butter and Cheese, or their Servants, resuse to take on Board any Butter and Cheese as shall be tendred to be shipped by any such Warehouse-keeper, &c. before their Vessels be loaden, they shall forfeit (being Convicted as aforesaid) for every Firkin of Butter so resused 5 s. and for every Wey of Cheese 2 s. 6 d. to be levied as aforesaid. One half of the Forseitures within this Act to go to the Poor of the Parish, and the other half to the Informet.

This Act shall not exclude Cheesmongers Free of the City of London from sending their own Vessels, or such as they shall hire,

for their own Goods.

Counties of Chester and Lancaster, nor to the County of the City of Chester.

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Persons aggrieved by the determination of any Justice of Peace, may appeal to the next General Quarter-Sessions, whose determination shall be final; the person appealing sirst giving to the person accused a Bond of 201. Penalty, with one or more Sureties, to the liking of the Justice of Peace, to pay such Costs as shall be allowed in case the Appellant be not relieved; the said Costs to be paid within a Month after the determining of the Appeal.

## Carriers.

By the Stat. 22 Car. 2. cap. 12. it is Enacted, — That no Carriage with any burthen, (other than such as are employed about Husbandry and in carrying Hay, Straw, Corn unthresht, Coal, Chalk, Timber for Shipping, Materials for Building, Stones or Ammunition, or Artillery for the King's Service) shall go in any High-way with above five Horses at length; and if any Draw with more Horses or Oxen, they shall Draw all in pairs, except one Horse.

Owners of Carriages or Beaft, offending, shall forfeit 40 s. for every Offence; one third to the Surveyors of the Highways in the Town, &c. where committed, for the Rpair of them; another third to the Overseers of the Poor of the Parish, where, &c. another third to him that shall discover the same; to be levied (upon Complaint

to a Justice of Peace by the Oath of one Witness) by the High-Constable or other Officer, by Warrant under Hand and Seal of such Justice.

Persons resisting the Execution, or rescuing Goods distrained, shall forseit 40 t. and if not paid within seven days, may be Committed to the County-Gaol till pay-

ment.

Actions for any thing done by means of this Act shall be laid in the proper County, and the Defendants may plead the General Issue; and if there be a Verdict for the Defendant, or the Plaintiff be Non-suit or Discontinue, the Defendant shall have treble

Costs. Vide postea.

By the Stat. 3 & 4 W. M. cap. 12. it is Enacted, That the Justices of Peace of every County at their Quarter-Sessions, after Easter yearly, shall assess the Prices of all Land-Carriage of Goods to be brought into any place within their Jurisdictions, by any Common Waggoner or Carrier, and shall certifie such Rates to the Mayors or other Chief Officers of every Market-Town; and Waggoners or Carriers taking more than what shall be so assessed to be levied by distress and sale of Goods by Warrant of two Justices, to the use of the party grieved.

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And here upon an Action for executing this Act, the Defendant may plead the General Issue, and recover double Costs.

But none shall be punished for any Offence against this Act, unless he be prosecuted within six Month after the Offence committed; nor shall any Person punished by virtue of this Act, be punished for the same Offence by virtue of any former Law.

By Stat. 7 & 8 W.3. cap. 29. No Travelling Waggon, Wain or Carriage, wherein any Burthens or Goods are carried for hire, other than fuch as are employed about Husbandry, and in carrying Hay, Straw, Corn unthresht, Coals, Stones, Timber, Materials for Building, Ammunition, Artillery, or shall be for the King's Service) shall at one time be drawn in any Common High-way with above 8 Horses, or 8 Oxen and one Horse, or 6 Oxen and two Horses, or two Oxen and 6 Horses, or 4 Oxen and 4 Horses; which said Oxen and Horses shall Draw in pairs, with a Pole beteen the Wheel-Horses, and the other Horses to draw in a Line with the Wheel-Horses or Oxen, in such manner as they draw in Coaches, upon pain that every Owner of fuch Waggon, Wain, Cart, Carriage, Horse or Oxen, shall forfeit 40 s. two Third parts to the use of the High-ways, the other to the Informer, to be levied by distress of any one of the said Horses, which after three days may be fold. The

The Surveyor, or Deputy Surveyor compounding, or Supervisor of the Roads compounding or receiving Reward of any Carrier or other person, upon the account of drawing with any number of Horses or Oxen contrary to this Act, or for any other Offence relating to the High-ways, shall forseit 40 l. one Moiety to the Repair of the High-ways, the other to such person as shall sue for the same.

By Stat. 3 Car. 1. cap. 1. No Carrier with his Horse, Waggoner with his Waggon, Carman with his Cart, Wainman with his Wain, or Drover with his Cattle, shall Travel upon the Lord's-Day, in pain to

forfeit 20 s. for every such Offence.

And no Butcher may kill or fell any Victual upon the same Day, in pain of 6 s. 8 d. to the use of the Poor, to be levied by Distress, or else to be put in the Stocks three Hours. This Conviction must be upon the Oaths of two Witnesses; and the Forseitures may also be recovered by a Prosecutor in the Sessions of the County or Corporation where the Ossence was committed; and here the Justice or Head-Officer may allow the Prosecutor part of the Forseitures, but not above a third part.

This Action must be prosecuted within fix Months, and the Officer may plead the

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By Stat. 29 Car. 2. cap. 7. No Drover, Horsecourser, Waggoner, Butcher, Higler, or their Servants, shall Travel on the Lord's

Day, on pain to forfeit 20 s.

No person shall use or travel on the Lord's Day, with any Boat, Wherry, &c. except on extraordinary occasion, to be allowed by a Justice of the Peace or Head Officer of the place, &c. on pain to forfeit 5 s. If Offenders in any of the Premisses be committed before a Justice of Peace of the County or Chief Officer, or Justice of Peace of the City, Borough, &c. where, &c. upon his or their View, or by Confession or Oath of one Witness, the said Justice, &c. Shall give Warrant to the Constables or Churchwardens, to feize the Goods that are Cryed or put to Sale on the Lord's Day, and to levy the other Penalties by diffress and fale of Goods, &c and in case of Inability to fet the Offenders in the Stocks for two Hours: The Penalties are for the use of the Poor; but the Justice or Head Officer may reward Informers with a Third part. a serie

This Act shall not prohibit Dressing of Meat in Families or Inns, Cooks Shops, &c. nor Crying of Milk before Nine a Clock in the Morning, or after Four in the Afternoon.

Profecutions for any Offence committed in this Act, must be within Ten days after the Offence committed.

And

And note, That if any person Travelling on the Lord's Day be Robb'd, the Hundred shall not be charged; but the Inhabitants, after Notice or Hue and Cry, shall make pursuit according to 27 Eliz. upon Forseiture to the King as much as might have been recovered if this Law had not been.

No Bayliffs, or other Ministers or Officers, shall serve any Process on the Lord's Day, (Except in Cases of Treason, Felony and breach of the Peace;) but such Services shall be void, and the Server shall answer Damages, as if he had done the same without Warrant.

## Coachmen.

By the Statute made 5 & 6 W. & M. Seff. 5. cap. 16. Commissioners had power to Licence 700 Hackney-Coaches for the Cities of London and Westminster and the Suburbs of the same, and within the Weekly Bills of Mortality, for 2 1 years: And that no person shall Drive or let to Hire any Hakeney-Coach or Coach-Horses within the Cities of London or Westminster, &c. without such Licence, upon pain of 5 l. for every Offence.

And that no Horse, Gelding or Mare, shall be used in any Hackney or Stage-Coaches, under the Size of 14 Hands, according to the Standard; and that every

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Coach so Licenced shall have a Mark of distinction, by Figures, or otherwise; and that no person shall be Licenced to keep more than two Hackney-Coaches; and that no person shall put the same Figure or Mark upon his Coach, that is appointed for another, nor shall alter or obliterate the Figure or Mark of distinction, upon pain of 5 l.

That the Commissioner granting more

than 700, forfeits 100 l.

That no Hackney-Coachman or Driver, shall take for his Hire in London, or 10 Miles thereof, above 10 s. for a Day, and reckoning Twelve Hours to the Day, by the Hour not above 1 s. 6 d. for the first Hour, and 1 s. for every Hour after.

And that no person shall pay from any the Inns of Court, or thereabouts, to any part of St. James's or City of Westminster, (except beyond Tuttle-street) above I s. and the same Prices from the same places to the Inns of Court, or thereabouts; and from any of the said Inns of Court, or thereabouts, to the Royal-Exchange, I s. and if to the Tower of London, or to Bishops ates street or Aldgate, or thereabouts I s. 6 d. and so from the said places to the said Inns of Court, as aforesaid, and the like Rates from and to any place at the like distance with the places before-mentioned.

And

And if any Coachman shall refuse to go at, or exact more for Hire than the Rates hereby limited, he shall for every such Offence forfeit 40 s.

The Commissioners may make By-Laws for regulating Hackney-Coaches in the

Streets, and to annex Penalties.

The Commissioners may also appoint 175 and no more of the Hackney-Coaches, to ply, stand or drive on the Lord's Day, within the Bills of Mortality only, so as the whole number of 700 may be employ-

ed fuccesfively.

And if any Hackney-Coach shally ply, stand or drive upon the Lord's Day, other than such as shall be so appointed, as aforesaid, or any where else within the Bills of Mortality, the Owner of such Coach shall forfeit 5 l. And the Commissioners are to publish a List of such as shall be so appointed.

All Offences against this Act (other than the Offences of the Commissioners) shall be determined by the Commissioners, or any three of them, upon Oath of one or more credible Witnesses (the party accused being summoned to make his defence,) or upon the Confession of the party offending; and one Moiety shall be to the King,

and the other to the Informer.

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## Coalmongers and Colliers.

By Stat. 16 & 17 Car. 2. cap. 2. it is Enacted. That Sea-Coals in the Thames should

be fold by the Chaldron.

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That the Chaldron should contain 36. Bushels heaped up, according to the Sealed Bushel of Guild-Hall , London ; Scotch-Coals after the rate of 112 pound of Averdupois Weight to the Hundred, without any fallacy or deceit, upon pain of Forfeiture of all the Coals and the double value thereof, to be recovered by any person or persons that will prosecute for the same in any Court of Record, or by way of Complaint, upon Oath made unto the Lord Mayor of London for the time being, and Justices of Peace within the City of London and Liberties thereof, or to any two of them, or to the Justices of Peace of the several and respective Counties and Places where fuch Coals shall be exposed to Sale, or any of them, who may levy the Forfeitures by Warrant; one half to the use of the Profecutor, and the other half to the use of the Poor, or Highways within the Parish,&c.

The Lord Mayor and the Court of Aldermen, and the Justices of the several Counties respectively, or any Three or more of them, whereof one to be of the Quorum, may fet rates upon Coals to be fold

fold by Retail, and force Ingrossers or Retailers to sell at the said Rates, allowing them a competent Prosit; and upon Resusal, to cause their Whars, &c. to be entred, and their Coals sold, rendring them the Money, necessary Charges being deducted.

This Act was revived by the Statute of 2 W. M. Seff. 2. cap 7. to continue from the first day of December 1690. for seven years; and from thence to the end of the next Session of Parliament. And by Stat. 7 & 8 W. 3. cap. 36. the Act is made perpe-

petual.

By Stat. 6 & 7 W.3.cap.10. The Owners of Keels, Boats, Wains or Carts for carrying of Coals in the Port of Newcastle upon Tyne, Sunderland, upon the River Weare, Culler-Coats, Seaton-Sluce, Blyth-Nook, and all other places within the Counties of Northumberland and Durham, and other Members of the Port of Newcastle, are to be measured and marked at 53 Hundred weight to every Chaldron.

The weight of Coals carried by every fuch Wain shall be 17 Hundred weight and an half, by every such Cart 8 Hundred and 3 Quarters; and that three such Wains or 6 Carts shall be reckoned at one Chaldron and no more. The Keel or Boat to carry 10 such Chaldron of Coals at one

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All Keel-Boats, Wains or Carts, that before they be admeasured, &c. shall carry any Coals, shall be forseited, together with the Coals laden upon them, one Moiety to the King, the other to him that shall sue for the same.

If after Marking,&c. the Mark shall be removed or altered thereby to frustrate the intent of this Act, the party offending upon Proof by one Witness before a Justice of Peace, shall forfeit 10 l. to be levied by Distress and Warrant; and for want of Distress, Commitment for three Months, one Moiety to the King, the other to the Discoverer, and the Keels and Boats to be admeasured and marked anew.

By the Stat. 6 & 7 W.3. cap. 18. All forts of Coal and Culm (except Charcoal made of Wood) which shall for five years, from the 29th of Septemb. 1695. be Water-born and imported into any patt or place of this Kingdom, shall pay a Duty for Coals sold by Measure 5 s. per Chaldron, reckoning 39 Bushels to the Chaldron; for each Chaldron of Culm 1 s. and for Coals sold by weight 5 s. per Tun, reckoning 20 Hundred weight to each Tun; to be paid at the Ports and places of Importation by the Master of the Ship or Vessel, before he breaks Bulk, &c.

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Unlading before Duty satisfied, or fraudulent Entry, forfeits the Ship and all Tackle, &c. unless he give in a post Entry,

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and pays the whole Duty for the Surplufage within fix days after the Delivery of the Ship; one Moiety to the King, the other to him that shall seize, sue or inform for the same.

And for the Encouragement of the Coal Trade, there shall be allowed yearly from the 15th of April to the first of January, Two Men for every hundred Tun Vessel, and one for fifty Tun Press free; and if any Press-Master presum to press such Men, he shall forfeit 10 l. for every such Man to the Master or Owner of the Vessel, and be rendred incapable of any Office in the Navy.

#### Cooks, Coopers, &c.

Of Cooks and Coopers something has been said formerly, but one thing more concerning the Cooper, who is a man that makes a great Noise in the World, yet notwithstanding he is bound to his good Behaviour; for he is obliged to make his Beer and Ale Vessels of good seasonable Wood, and put his proper Mark thereon; and he must observe his Guage, which is as follows: Viz.

A Beer Barrel to contain 36 Gallons; a
Kilderkin for Beer, 18 Gallons; a Firkin
for Beer, 9 Gallons; and a Barrel for Ale,
32 Gallons; a Kilderkin for Ale, 16 Gallons; and a Firkin, 8 Gallons of the Kings
Standard

Standard. If he make any Vessel more or less, and do not mark how many Gallons it containeth, and that with his own Mark, he shall forfeit 3 s. 4 d. per Vessel.

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And now, when he has observed this method of Measure, he is also tyed up to a rule of Price: And the prices of all Barrels, & Eliz ?. Kilderkins, Firkins and other Vessels to be fold for Ale and Beer to be uttered therein, made or fold out of any City, Borough or Town Corporate, shall be Taxed by the Justices of the Peace, or the more part of them being present, in their Quarter-Sessions yearly after Easter, at such Prices as they shall think fit and reasonable: And if any Cooper shall sell any of the same above fuch Prices affeffed, and Proclamation thereof made, he shall forfeit for every Vesselfold at a greater price 3 s. 4 d. to the King and Informer.

#### Coverlet Makers ...

There is an Ancient Statute of 34 & 35 H.8. concering the Coverlet Makers in Yorkshire; by which it is Enacted, That none in Yorkshire shall make, &c. Coverlets or Coverings, but they which dwell in York, upon pain of forseiture of every such Coverlet or Covering, made, wrought and put to sale contrary to the said Statute, or the value thereof.

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And such Coverlets were by a former Ordinance appointed to be made in this manner; the best fort to contain in length three Yards, and in breadth two Yards and a Quarter at the least.

The second fort to contain in length

three Yards, and in breadth two Yards.

The third fort to contain in length two Yards and a half, and in breadth one Yard and three Quarters, under pain of forfeiture of the same; the one half to the Mayor and Commonalty, and the other to the

Wardens of the Company.

This Statute enacts, That none dwelling in that City or County shall Hawk-about Coverlets or Coverings, or put to sale any Coverlets in any other places out of the said City or Liberties thereof, but only in the open Markets or Fairs, upon pain of forseiture of the same, or Value; the one half of the Forseitures, if it be in any City, Borough or Town Corporate, to Mayor, &c. or other Ruler, &c. of every such City, &c. authorized to have the same by Grant or Prescription, or otherwise lawfully; and the other half to such person or persons as shall seize or sue for the same in any Court of Record, &c.

And if the Forseiture happen to be taken or found out of any the said Cities, &c. having no such Authority, then the one Moiety to the King, and the other to the person that will sue for the same in any of

the Kings Courts,&c.

1 fac. 22.

Of Cordwainers or Shoe Makers, Curriers and Tanners orc.

In the next place I will speak of Cordwainers , Curriers and Tanners ; but first of the Tanner because he is the Elder Brother.

And you shall know that none shall be Tanner. Tanners, but such as have served seven years as Apprentices, or Hired Servants in that Trade, or the Widow or Children of a Tanner, having a Tan-Fat left them, and having been brought up in that Profession by the space of four years, in pain to forteit all the Leather they Tan, or the full value thereof.

A Tanner shall not use any other Trade 1 fac. 22. of cutting or working Leather at one and the fame time, upon pain to forfeit the Hides and Skins, or the value thereof. Nor consequently he that Cuts Leather can be a Tanner under the like Penalty.

The Tanner that over Limes his Hides. or useth in his Tanning any thing fave Ash-bark, Oak-bark, Tap-wort, Mault, Meal, Lime, Culver, Dung, or Hen-dung; or luffers them to be frozen, or to be parched with Fire or Sun; or Tans fuch as are rotten by long lying, or otherwise; or continues not Outer-fole Leather Twelve Months in the Woozes, and Upper Leathers Nine Months; or doth negligently D 4 work work his Hides in the Woozes, not renewing and strengthning them, as often as need
shall require; or doth work them in any
other fort than is by Statute limited, shall
forseit every Hide so tann'd and put to sale,
or the sull value thereof.

1 Jac. 22. No Tanner shall by Mixtures raise any Hide for Sole-Leather, which shall not be fit for that use, in pain of forseiting the same.

1 Jac. 22. None shall put to sale any Leather infusficiently tann'd or dryed, in pain to forseit the whole, or at least so much as shall be so misused.

with any Untann'd Leather, red and unwrought, (but only in open Fair or Market, in the place therefore prepared) unless it hath been first lawfully Searched and Sealed according to the Statute, or shall offer to put to Sale any Leather before it be Searched and Sealed, according to the Statute, shall forseit for every Hide or piece of Leather 6 s. 8 d. and for every Dozen of Calves-Skins or Sheeps-Skins 3 s. 4 d. and the Hides or Skins, or the value of them.

But concerning Leather, more hereafter.

Parts; whereof the King is to have one, the Prosecutor another, and the City, Corporation or Lord of the Liberty the third.

And

And none shall sell Tanned Leather by 4 Jac. 6. weight, in pain to forfeit the same, or the value thereof; to be divided between the

King and the Profecutor.

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But by 1 W. & M. Seff. 1. eap. 33. All Persons whatsoever, dealing or working in Leather, may buy all sorts of Red tann'd. Leather in any open Fair or Market, Curried or Uncurried, the same being first search'd and seal'd according to Law, and may sell the same again in their Shops, and convert it into other made Ware, (which by the Stat. 12 & 14 Car. 2 cap. 7. he was first obliged to have Curried.)

Also any Persons may buy or sell Leather,

Hides or Skins by weight.

And thus much for the Tanner.

Next, concerning the Currier; who is Currier: bound by the same Statute of I fac. 1.22. not to Curry any Hide or Skin which is not sufficiently Tann'd and Dried, and that in his own House, scituate in some Corporate or Market Town, and not elsewhere: Also if he hurt or spoil any Leather by scalding, shaving or gashing it; in either case (except gashing) he shall lose for each Skin 6.8 d. and for gashing double 1 face 22. Skin 6.8 d. and for gashing double 1 face 22.

And Note, That no Artificer within London, or three Miles of the same, shall put any Leather to be Curried, save only

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to some person Free of the Company of Curriers in London, in pain to forseit the

fame, or the value thereof.

And none within the aforesaid Jurisdiction of London, shall use or put into any made Wares any Curried Leather, before the same be searched and sealed, in pain to forfeit for every Hide or Skin 6 s. 8 d. and also the value of every such Hide or Skin. The Currier must request the Company to search and seal his Leather curried, or he shall forfeit for every Hide not so searched and sealed 6 s. 8 d.

1. fac. 22.

No Currier shall be a Tanner, Cordwainer, Shoemaker, Butcher, or other Artificer for Cutting Leather, both at one time, upon pain to forfeit 6 s. 8 d. for every Skin.

1:7ac.22.

If a Currier shall refuse to Curry within eight Days in Summer and sixteen in Winter, any Leather brought to him by any Cutter of Leather, or his Servant, bringing with him good Stuff for Liquoring the same, after he shall or may take it in hand, he shall forseit for every Hide or Piece.

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The Lords of Fairs and Markets are to appoint and swear Searchers, Sealers and Tryers of Leather, according to the Statute, upon pain of 5 l.

And if the Tryer,&c. shall not forthwith do their Duty, they shall also forfeit 5.

for every default.

If a Searcher or Sealer omit his Duty, or 1 Jac. 22. take Bribes, he shall forfeit for every Offence, for not Searching or Sealing 40 s. and for every Bribe and exaction of Fees 20 l. and upon Refusal to execute the said Office 10 l.

And if any shall withstand, or deny the Searcher, he shall forfeit for every time

And now I'le tell you concerning their Fats.

And to this the Statute says, That who 1 705.22. soever shall set his Fats in Tan-Hills, or other places, where the Woozes or Leather put therein shall or may take any unkind heat; or shall take and put any Leather into hot or warm Woozes, shall forseit for every Offence 10 L and stand on the Pillory three Market days.

Note, The Hides or Skins of Ox, Steer, Bull, Cow, Calf, Deer, Goats and Sheep, being tann'd or taw'd, and Salt-Hides, are reputed Leather within the Letter of this Statute.

But by 4 Jac. 1. cap. 6. there shall be no Penalty for housing, buying or selling. Sheep-Skins Unsealed.

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Justices of Assize, of Gaol-delivery and 1 Jac. 1...
of Peace, Stewards of Leets, the Mayor cap. 25...
of London, and Head Officers within their
several Preciners, have power to hear and
determine these Offences.

By

By 13 & 14 Car. z. cap. 7. The Tanner that shaves, cuts and rakes his Upper Leather-Hides all over, and the Necks of his Backs and Buts, shall forseit all the said Leather, Backs, Buts or Calves Skins, so shaved, cut or raked, or the value thereof; and the Searchers and Sealers may seize the same.

The Forfeitures may be recovered by Action of Debt, Bill or Plaint, &c. in the Courts of Westminster, or in any other Court of Record, nor shall the same be removed thence; one half to the King, the

other to the Informer.

Cordwainer or Shoemaker; which is,

1.700.22.

That they shall make their Boots, Shoes, &c. of good and sufficient Stuff, sew them well, and not put them to Sale upon Sundays, in pain to forfeit for every such Default or Offence 3 s. 4 d. and also the full value of all-Wares otherwise made or sold.

m 7ac. 22.

These Forseitures of Currier and Shoemaker are to be divided in three Parts, as in the Case of the Tanner:

And Note, That this Statute makes it lawful for all Artificers (fave only Shormakers, between September and the 20th of April) to use dry, curried and frized Leather, being well Tann'd, according to this Act: But this Act shall not extend to Wales.

This

This Act also Prohibits the Transporting of Leather, as does the Statute of 13 & 14 Car. 2. cap.7. except Boots, Shoes or

Slippers.

But the Statute of 20 Car. 2. cap. 5. says, 20 Car. 2. It shall be lawful for any person to Export cap. 5. into Scotland, Ireland, or any Foreign pasts all sorts of Leather, Sheep-skins or Calveskins tanned, sawed or dressed, paying, &c.

And by the Statute of 7 & 8 VV. & M. cap. 36. This last Act is continued from March 1696. for 7 years, and from thence to the end of the first Session of Parliament next ensuing.

There is an Act about passing concern-

ing Leather, to which I refer you.

Concerning Clothiers, Drapers, Wear vers; &c.

By the Statute of 4 fac. 1.2. being the last general Statute for Cloth, It is Enacted, That every coloured Broad-cloth made in Kent, Yorkshire, Reading and elsewhere of like making, (being thorough wet) shall contain in length between 30 and 34 yards (yard and inch) Standard Measure, and 6 quarters and an half throughout within the Lists, and being well ordered, and dried shall weigh 86 pounds.

The length of white Worcesters (being wet,) shall be between 30 and 33 yards, their Breadth 7 quarters, and their weight

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78 pounds.

The Length of Plunkets, Azures, blues and long whites (being wet) shall be between 29 and 32 yards, their Breadth 6 quarters and an half, and their weight 80 pounds.

Sorting Cloth shall contain in Length between 23 and 26 yards, be 6 quarters broad,

and weigh 64 pounds.

Fine short Suffelks, shall contain in Length between 23 and 26 yards, be 6 quarters and an half broad, and weigh 60 pounds.

Handywarps, shall contain in Length between 29 and 32 yards, be 7 quarters

broad, and weigh 76 pounds.

Broad Plunkets, and other coloured Cloths, made in the Counties of Wilts and Somerfet, or elsewhere of like making, shall be betwixt 26 and 28 yards long, 6 quarters and an half broad, and weigh 68

pounds.

Short coloured Cloths made in Yorkshire, or elsewhere of like making, shall be between 23 and 25 yards long, 6 qarters and an half broad, and weigh 66 pounds; and every half Cloth or Dozen, shall be made according to the same Rate: Broad listed Whites and Reds, called Sorting Packcloth, shall contain between 26 and 28 yards in length,

## concerning Trabelmen?

length, be 6 quarters and an half broad,

and weigh 64 pounds.

Narrow lifted Whites and Reds, shall contain in Length betwixt 26 and 28 yards, be 6 quarters and an half broad, and being White shall weigh 61 pounds, but Red 60 pounds at the least.

Fine Cloths, with plain Cloths, shall contain in length between 29 and 32 yards, be 6 quarters and an half broad, and weigh

72 pounds.

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Cloths having Stoplists, shall contain in length between 30 and 33 yards, be 7 quarters broad, and weigh 78 pounds.

Tauntons, Bridge-waters, Dunsters, &c. shall contain in length between 12 and 13 yards, be 7 quarters broad, and weigh 30 pounds. And every narrow Cloth of like making, shall be between 24 and 25 yards long, one yard broad, and weigh 30 pounds And the Half-cloth of that kind shall contain the same breadth, and the length, and weight rateably. And as touching such broad and narrow Cloths, as are made in Torkshire into Whites and Reds, the broad Cloth there shall keep the same Measuers and Weights; but the narrow is to contain in length between 17 and 18 yards in weight, proportionable as aforesaid.

Devonshire Kerseys or Dozens, shall contain in length between 12 and 13 yards, and shall weigh 13 pounds; and Check Kerseys, streats and plain Grays, shall contain.

## A wiew of the Benal Laws

in length between 17 and 18 yards, be one

yard broad, and 24 pounds.

Ordinary Penystones and Forest-whites, shall contain in length between 12 and 13. yards, be 5 quarters and an half broad. and weigh 21 pounds; and forting Penystones, shall be between 13 and 14 yards long, 6 quarters and an half broad, and

weigh 35 pounds.

All Cogware, Kendals and Carptmeals, shall be made to please the Buyer, and shall not be searched, sealed or subject to other Penalty, than fach as was imposed thereon before 39 Eliz. fo they shrink not above one yard in 20. Kerseys called Washers and Washaubites (being half thicked,) shall contain in length between 17 and 18 yards, or quarter thicked between 18 and 19 and shall weigh 17 pounds.

None shall raise or row Woollen Cloth with Oyl, Grease or the like, or use the fame, but upon the edge of the Sheers only, pain of 13s. 4d. and it shall be wrought all alike throughout upon the like pain; and the Wool thereof taken away only by the Sheers, upon the same pain; none shall blow, spout, or bedew VVoollen Cloth near the Lists thereof with Water or otherwise, in pain of 131.4 d. and if it be done to increase the weight, the

penalty is 40 s.

Abatement shall be made fore the Dying, Dressing, Shearing and Rowing of Cloths, viz. for short Cloth 4 l. for long Cloth 5 l. and according to that Rate.

Flannel, Wadnals, Coverlets and Blankets, may be made as formerly they have

been, notwithstanding this Statute.

None shall exceed in length aforesaid, in pain to forfeit for every yard and inch so exceeding 10 s.

If any fell Woollen Cloth wanting the weight above said, he shall forfeit for every

two pounds fo wanting 10 s.

If any Cloth want the just Breadth, the Seller thereof shall forseit for such want through the whole piece 20 s. the half piece 10 s. and for any less part 5 s.

If a Clotb be of less length than the Seal thereof doth purport, the Seller shall forfeit to the Buyer 6 s. 8 d. for every yard and inch that so wants, besides the value of so much

as fo falls fhort.

Every branch in any former Statute, whereby any other length, breadth or weight of the said Cloths, or any other Penalty concerning the same, or any Offence (intended by this Act to be reformed) is limited, or whereby any Penalty sor the Offence in this Act mentioned, is given to any other person than in, and by this Statute is limited, shall be repealed.

Cloth Sealed by the Overseers appointed by the Statute of 39 Eliz. 20. and 43 Eliz. 10. shall not be searched, tried or watered again, but only by the Buyer thereof.

The Penalties for over-length, or wants of weight found by the Searchers and Over-feers, and by them certified, by his or their Seal or Seals, shall be divided betwixt the King and them: But if such defaults shall be found by the Buyer, Merchant, Draper, Oc. and not sound and certified by the Overseers, Oc. then shall such Penalties be divided betwixt the King and such Buyer.

If any broad VVoollen Clotb be longer or shorter than 24 yards and inches, the Duties for the same shall be proportionable

according to the length.

Every Clotheir may make any kind of WVoollen Cloth, in what place he pleafeth.

The Kings Duties are reserved, as also the Aulnagers Office and Fees, so as Cloth once lawfully searched and sealed, shall

not be searched and sealed again.

Statute of 7 fac. 17. The Sorter, Carder, Kember, Spinster or VVeaver of VVooll or Yarn, that shall be found (by his own Confession, or the Testimony of one Witness) to imbezel or detain any part thereof from the true Owner shall incur Whipping, and the Stocks to be inslicted upon them, (in the Country) by any two Justices of Peace,

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and (in a Corporation) by the head Officer, and another joyned with him. And here also the Receiver thereof shall incur the like Punishment, as also those in Esex, which use a Reel less than two yards about.

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But such imbezeler may redeem his Punishment, by giving such satisfactions to the Owner, as such Justices or head Ofsier shall think sit.

By the Stat. of 7 Fac. 16. Certain course Cloths made in the North, shall not be scarched or sealed, nor any Custom or Aulage paid for them.

By the Stat. of 2 1 Fac. 1.18. The Statute of 4 Fac. 2. is continued, fave what is there-of altered, repealed, discontinued or enlarged by this.

None shall put any Flocks, Thrums, Hair, or other deceitful stuff into broad Woollen Cloth, in pain of 5 l. to be distributed to the Poor, where such deceitful Cloths are made.

And the 5 & 6 Ed. 6. 6. provides, that none shall put any Flocks or Yarn, or Lambs-wooll, into any of the Cloths in that Statute mentioned, in pain to forfeit the same, or the value thereof.

And I R. 3. 8. fays, None shall set, cast or put upon Cloth, any Flocks, Chalk, or other deceitful thing, in pain of 40 s. for every Cloth so used. See after.

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The Searchers or Overseers of Cloth may enter into, and make Search in any House, or other place to find deceitful Cloth.

Any two Justices of Peace, may call before them any person suspected for making deceitful Cloth, and if upon Confession of the Party, or Testimony of two Witnesses, they shall find any guilty thereos, and make Certificate accordingly under their Hands and Seals to the Church wardens and Overseers of the Poor of the Parish, where the Offence is committed, those Officers shall levy the Penalties forseited, by Distress and Sale of Goods; and for want of Distress, the Offender shall suffer Imprisonment.

11 Jac. 1.

The Officer being sued, shall be allowed to plead the general Issue, &c and shall recover double Costs if Cloth be defective; the Searchers of the Parish where it is made, shall certifie it by their Seal, having the word Faulty stamped upon it: And the Searchers that search Cloth already searched, shall forfeit 5 l. to the party greived.

All VVoollen Cloths shall be searched and

sealed before they be fold.

No Tenters for broad Cloths made in Yorkshire, shall have any farther place of liberty under the Bar, than half a quarter of a yard; and the Overseers in those parts, shall upon the Penalties of their Recognizances, make due search for deceitful

Tenters.

Tenters, and if any be found thall deface them. See after.

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He that offends the second time in having such a Tenter, shall forfeit 45 s. to the Poor.

Every Overseer of Cloth shall upon the Penalties of his Recognizance, set his name upon the Seal of Cloth, and Cloths otherwise sealed shall not be allowed as sufficiently sealed.

Pressing of Cloth between Hot-planks, or by any heat of Fire, or other deceitful means, shall be punished by like Forseitures, as Pressing with the Hot-press is punishable by any former Statute.

A Third part of all Penalties limited by this and former Statutes, for want of length and breadth and weight, the Searchers that find and certifie such defaults shall have; and the rest shall be delivered to the Church-wardens and Overseers for the use of the Poor; for which they shall be accountable, as by the Statute of 43 E. 2. is provided.

No Clothworker, or any other person 4 7sc.1.2. shall use for the cutting, or taking away the Wooll from the backsides of any Cloths or Kerseys, any Knife or Knives, Rubster or Rubsters, Pumicestone, or any other device whatsoever, but only to shear the same with a pair of Shears, on pain of Forseiting for every piece, whereupon the same shall be so done 13 s.4 d.

The

The Statute of 12 Car. 2. cap. 22. concerns making of Bays in Colchester, and is

almost particular to that place.

It also Enacts, That Bays bought or carried out of the Town, before they are searched, or offered to be carried out, shall be conficated, the one Moiety to him that will seize, the other to the Poor of the Parish where seized.

The Statute of 13 & 14 Car. 2. cap. 5 is for Regulating the making of Norwich Stuffs, in Norwich and Norfolk, most of which Forfeituers are for the use of the

Poor of the Trade.

And if any use the said Trade, having not served as Apprentices 7 years, shall forfeit 40 s. for every Month, half to the King, and half to the Prosecutor, to be secovered in any Court of Record.

And 22 & 23 Car. 2. cap. 8. concerns the

making Kidderminster Stuffs.

Note, By the Stat. of 13 R. 2. 11. The Workers, Weavers and Fullers shall put their Seals to every Cloths, upon a certain pain to be limited by the Justices of Peace.

By the Stat. of 4 Ed. 4. 1. The Clothier shall pay to his Workfolks their Wages in ready Money, and not in Wares, on Forfeiture to them of treble Damages, and shall deliver them VVool according to due weight, in pain of 6 d. for every default.

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And the Workfolks shall duly perform their Occupation, on Forfeiture of double Damages; and ever Fuller in Fulling, Rowing or Tazing of Cloth, shall use Tazels and not Cards, in pain to yelld double Damages to the party grieved.

The 1 R. 3. 8. says, None shall set, or draw in length or breadth any Cloth fully watered by tentering or otherwise, in pain

to forfeit the fame:

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That no Shearman, or other shall Shear or Cancel any Cloth not fully watered, upon

pain of 40 s. for every Cloth.

And that none shall convey any Cloth beyond Sea not fully watered, and after tis so watered, it shall not be set or drawn in length or breadth, in pain of 40 s. for every Cloth so conveyed.

And that none shall Retail Cloth before it be fully watered, and being so watered, it shall not be set or drawn as asoresaid, in pain that the Seller shall for seit the said Cloth,

or the value thereof. See after.

Also, By the said Statute of 1 R. 3. 8. None shall keep in his House any Tenter or other Engin, whereby Cloth may be drawn in length or breadth, in pain of 20 l. but Tenters shall be set in open places, and used only for the due stretching of Cloth after it cometh from the Mill, and before it be Rowen,

And the Statute of 5 & 6 Ed. 6. 6. fays, None shall use with his Tenter any Wrinch, Rope, Ring or other Engin to strain or

stretch Cloth, in pain of 20 %.

Also, No Dyer shall Dye any Cloth with 3.8. Orchelor Cork, in pain of 40 s. neither shall any put to Sale any so dyed, in pain to forfeit the same; howbeit Cork made within this Realm, may be used in dying upon VVoolwards, so that the Wool and Cloth be persectly boyld and maddered; Also, such English Cork may be put upon Cloth, that is persectly boyld and maddered.

Every Dyer shall Dye both the Cloth and the Lift with one and the same Colour, in

pain to forfeit the same.

A none shall put to Sale Cloth deceitfully dyed, in pain to forfeit the same, or the value

thereof.

Statute of 3 & 4 Ed. 6.2. says, That none shall Dye any Wool to be converted into Cloth, Hats or Caps, before it be perfectly woaded, boyld and maddered, in pain to forseit for every such Cloth, or so much Wool as makes a Cloth 40 s. Neither shall any Dye with Brasil to make a false Colour in Cloth, Wool, Hatts or Caps, in pain of 20 s. See afterwards how the Forseitures of this Act are to be disposed.

Also, That none shall Dye any Cloth before it be perfectly boyld, greived or maddered upon the Woad, and well short with good Cork or Orchel, in pain of 20 s.

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That none shall boyl VVool (to be converted into Cloth) with Galls, Rinds, Bark or Sawdust, in pain to forseit the same or value, betwixt the King and Prosecutor.

Not to extend to Devenshire Tavestocks. By 23 Eliz. & 9. nothing of the nature of Cloth shall be maddered for a Black, except it be first grounded with Woad only, or with Woad and Indeblue, unless the Madder be put in with Stomash or Galls, upon Forseiture of the value, between the Queen and Prosecutor, and Imprisonment till payment.

Yet he may Dye all manner of Gall Black, Stomack or plain Black, without

using Madder.

The Dyer is also by this Statute obliged, to fix a Seal of Lead to the Clotb which he dyeth and maddereth, with the letter M. to shew that it is maddered and woaded, under pain of 3 s. 4 d. per yard, and the Seller shall make it known if not woaded, under Forfeiture of doublevalue, betwixt the Queen and Prosecutor.

Alfo, This Statute prohibits Dyers from using Logwood; but by 13 & 14 Car.2. cap. 11. That Clause is repealed, and any Dyer may use Logwood or Blockwood.

Faulty Cloth shall be brought to the chief 1 R. 3. 8. Officer of the place where it is seized, and shall be cut in 3 parts, whereof the Seisor shall have one, another shall be by him

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carried into the Exchequer, and the third, the faid Officer shall have for the use of the Commonalty.

All other Forfeitures of this Act to be divided betwixt the King and the Profecu-

tor.

By Statute 6 H. 8. 9. The VVesver shall put all the Yarn, delivered unto him into the Web or restore it, without putting any thing deceitfully thereunto, in pain of 3 s. 4 d.

None shall buy any coloured VVool or Yarn of any Carder, Spinner or VVeaver, but in open Market in pain to forseit the

fame.

The Walker and Fuller shall duely work every Web, without Flocks or other deceit, and shall not Row or Work it on either side with Cards, in pain of 6 s. 8 d. By 3 & 4 Ed. 6. 2. if with Iron Cards or Pickares 40 s.

Statute of 5 6 Ed. 6 8. says, No person shall Weave or make, or put to Weaving or making broad Woollen Chith, unless he hath been 7 years Apprentice to

that Art.

But 1 M. Parl. 3. 7. says, Any person may make broad Cloth, and put them to Weaving, Fulling, Dying and Shearing, without any impediment; so that the Cloth be duely made according to the Statute of 5 & 6 Ed. 6.6. & c.

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However the Statute of 2 & 3 P. & M. 11. fays, None shall be a Weaver, but he who hath been 7 years an Apprentice in that Art, in pain of 201, but this Statute not to extend to the Counties of York, Cumberland, Northumberland and VVestmorland, By 4 & 5 P. & M.S. fuch VVeaver forfeits the Clot b or value.

Yet the 5. Eliz. 4. Which is last to that purpose, says, None shall use any Mistery, but who hath served as Apprentice 7 years, under Forfeiture of 40 s. a Month, in which Statute are other things concerning Clothworkers, VVeavers and Fullers, which I will speak to when I Treat of Appretices and Artificers in General.

Again, The Statute of 2 & 3 P. & M. 11. lays, That no Clothier in any Corporation or Market Town, shall keep in his House, above one Loom, or let any Loom, or House and Loom together to make Profit thereby, in pain to forfeit every Week he so keepeth or setteth them 20 s. But by 27 Eliz. 18. the Inhabitants of Devon and Cornwal may keep 3 Looms.

Also, That a VVeaver (being no Cloth- 2 & 3 P. person maker shall not keep any Tucking Mill, & M. 11.

aring in pain of 20 s. for every Week.

tute of white woollen Cloths but in a Corporation, Market Town or other place, where they Here have been made 10 years before that Act,

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pain of 5 l. for every Cloth otherwhere made, but not to extend to the Counties aforesaid.

By 46.5 P. & M. and the 5. No Retailers of Cottons shall dress it himself, or by any other save only by a proper Dresser thereof, in pain to forfeit for every piece 6 s. 8 d.

By 8 Eliz. 7. He that uses the Trade of buying of Frizes, Cottons or Plains, shall not exercise the Art of Frizing or Cottoning, in pain of 6 s. 8 d. for every piece.

And that those, that use the Trade of buying VVelsh Cloth or Linnens, shall pay to their Workmen ready Money, in pain

to lose their Freedom.

By 8 Eliz. & 12. He that puts to Sale in Lancasbire, or carries out of that County any Cloth, Cotton, Frize or Rugg made there, before the Maker fix his Seal, and the Aulnager the Queens, torfeits sud Cloth betwirt the Queen and Prosecutor.

None shall put to Sale any Cloth, which being wet shall shrink above one yard is length, and one quarter in breadth, for the more part thereof, or Narrows or Stream after that rate, in pain of 6 s. 8 d. and to abate the Buyers such defect. But the Su tute of 3 & 4 Ed.6. & 2. allows a yard and quarter in length, and a quarter in breadth and Streats and Kerseys, a yard in length and a quarter in breadth, penalty 20 s.

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None after he hath bought Cloth, shall draw or strain it in length or breadth with Tenter or Winch, or otheriwsc in pain of 51.

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Provided, That fuch Buyer (having for Proof fake fully wet Cloth) may draw and strain them for evening them only, fo that he exceed not one Yard of the length it had when it was fully Wet: 2 6 4 Ed.6.2. allows a Yard and half in length, and a Quarter in breadth; Penalty 405.

But 5 & 6 Ed. 6 & 6. fays, None shall stretch Cloth above a yard in length, and an half quarter in breadth, in pain of 5 l. Statute of 39 Eliz. gives penalties for Cloths made and straind on the North fide of Trent, and 20 1.by him that uses any Engin to that purpose.

None shall put upon Cloths any Flocks, or other deceit in pain of 20 s. 3 6 4 Ed. 6. Penalty is 40 s.

But 27 Eliz. 18. Repeals this Branch which Prohibiteth putting Hair, Flocks or Yarn made of Lambs-wool, into any Cloth or Frize, having regard unto the Cloth called plain white Straits, and printed white Straits; and fays, the Inhabitants of Devon and Cornwal may make the faid Cloths keep three looms, and use such things therein, preadth and make them as the Merchant shall like; length but no piece to weigh above 12 pounds, nor above 14 yards long, or one yard broad,

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6 H. 8. 9.

in pain of Forfeiture, or value betwixt the King and Profecutor.

The Buyer and Seller of Cloths, shall measure them by Yard and inch of the Rule, and not otherwise, in pain of 5 %.

By 3 & 4 Ed. 6. 2. the Penalty is 6 s. 8 d. for every Yard measured otherwise.

The Forfeitures aforefaid shall be divided betwixt the King and the Profecutor.

6 H. 8. 9.

This Act shall not extend to Kendals, Carpnel Whites, Toftocks, made in Devon: Cloths made in Cornwal; Cottons or Frize made in VVales,

Lancashire or Cheshire.

By Stat. 3 6 4 Ed.6.2. None shall put to Sale within this Realm any Cloth preffed, in pain to forseit the fame, or the value thereof; the Forfeitures to be between the King and the Overseer appointed to search; and in his default, to fue within half a year; then to any other within another half year; and none shall take advantage after one year.

And 5 6 Ed. 6. 6. fays, None shall Press any Cloth with the Hot-press, nor in any other deceivable manner, but only with the cold Press, in pain to forfeit the same

or the value thereof.

The Statute of 27 H.S. 12. fays, Every Clothier shall cause his Mark to be woven in his Cloths and Kerseys, and shall set a Seal of Lead thereunto, shewing the true length thereof, as they will hold being

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Wet; and in case of defect, the Clothiers shall forseit the double value to the Buyer: With which as to the Seal agrees, 3 & 4. Ed. 6. 2.

But it farther says, That every Clothier shall cause the Letter E. crowned to be wrought in every Cloth, in pain of 20 s. to be divided betwixt the King and the

Prosecutor (of which quare.)

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By Stat.33 H.8.2. Welsh Cloths, called VV bites, Russets and Kenners, brought into Fairs or Markets to be sold, shall be sold in Pleights or Cuttels, and not hard roll'd together, in pain to forseit the same, to be divided bewixt the King and the Prosecutor.

And by 5 & 6 Ed. 6.6. Frizes in VVales, and elsewhere, of like making, ready for sale and wet, shall contain 36 Yards at most in length, and 3 Quarters in breadth, and shall weigh 48 pounds, and every half Piece after that Rate; Forseiture 20 s.

between the King and Profecutor.

The Statute of 5 & 6 Ed. 6.6. says, That no Retailer of Cloth shall put it to Sale, before he hath tried it by Water measure and weight, and shall present the defect thereof to an head Officer, or two next Justices of Peace, in pain to forseit the double value thereof; and the Cloth sound defective shall be divided into three parts, whereof the King shall have one, the Prosecutor another, and the head Officer or two Justices the third.

E 4 That

That the Clothier shall repay to the Buyer of faulty Cloth his Money again, o otherwise satisfie him for the same, in pain to forseit to the party grieved the double value thereof.

And that the party with whom defective Cloth is found, by the Searchers appointed, shall recover Damages against the party that was the Cause thereof, by

Action of Debt, &c.

This Statute says farther, That the head Officer of every Town shall prepare a Seal of Lead, havin the Arms and name of the Town printed thereupon, which Seal the Searchers shall fix to every Cloth well made, &c.

To Cloth found faulty, a Seal with the letter F. just against the fault, upon For

feiture of 5 l.

And the value of the Cloth not sufficiently dressed, to which they set the Town Seal.

No Retailer to Sell without the Town Seal affixed, and kept so at one end till all be sold, upon Forseiture of the value.

Forfeiture of 10 l. for not appointing Searchers by the Corporations, and 5 l. by him that refuses betwirt the King and

Corporation.

The Counterfeiter of such Seals convicted by 12 Men, 2 Witnesses, or his own confession, forfeits for the first time 10 l. for the second to stand upon the Pillory,

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and all his Goods and Chattels to the King.

The Forfeitures not otherwise appointed, to be betwirt the King and the Prosecu-

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Note, That by a late Act made in the 8th and 9th year of his present Majesty; for restoring the Market at Blackwell-Hall to the Clothiers, It is Enacted, That after the first of May 1697, The Governors of the said Hall shall observe the set times, and Rules for keeping and government of the Market.

That the said Warket shall begin and be held on every Thursday, Fryday and Saturday, from 8 of the Clock in the Forenoon, until 12 in the same Forenoon, and from 2 in the Afternoon until 5 in the same, to be known by the ringing of the Market Bell there.

The Market to be continued weekly, except on days of Humilitation or Thankf-giving fet apart by Authority; and the Keepers of the Hall not to permit any Buying or Selling of any Woollen Cloth there on any other days or hours, than as aforefaid, upon penalty of 100 l.

That no Factor or person, other than the Owner of the Cloth shall sell, cause to be sold, or expose to Sale out of the said Market, any Cloth consigned or directed by the Owner thereof, to be brought to the said Market, or to any Factor there,

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to be fold, upon the penalty of 5 1. for

every fuch Cloth fo fold.

The Hallkeepers, Clerks and Master porters are to keep Registers, and Enter the Names, Sirnames and places of Habitation of the Owner, Buyer and Seller of Cloths with the time of Sale thereof, and likewise of the Factor or Person, (other than the Owner) buying or selling the same, to satisfie the Clothiers, their Agents and Servants, how their Cloths are disposed, to which they may at all convenient times have recourse without Fee or reward; the party neglecting forseits 10 k for every Offence.

The person selling such Cloth, (except the Owners) shall within 12 days after Sale and Delivery take a Note from the Buyer of the Cloth so sold, and the Sumpayable to the Owner, and deliver it to the Owner on demand, or his Order, with notice of the Buyers abode subscribed, on pain to forseit to the Owner for every neglect, or resulal of delivery, double the value of the Cloth so sold.

of Sale and Delivery refuses to give such Note, he shall forseit to the Owner 20 stor every Offence for every Cloth so sold.

The Cloth not actually returned within 8 days after delivery, shall be taken to be approved of by the Buyer.

3.

The Forfeitures may be recovered by Action of Debt, Bill, Plaint or Information in any of his Majesties Courts of Record: One Moiety to the King, the other to the Informer, if not otherwise disposed; And if the Owner neglects to Sue for six Months after the Offence committed, any other person may Sue for the Forseitures, to which the Owner was intituled.

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# Distillers, &c.

If any Distiller or maker of Low Wines, By Stat. I should after the 20th day of July 1689, Stat. 16.24. after an account taken by the Gauger of the quantity of his Wines, dispose of the same, without drawing them off the second time, he shall forseit for ever Gallon so disposed of 5 s.

Also, In case any Distiller or Maker of Strong-waters, Aqua-vitæ or Spirits, shall upon request or demand made by the Gauger, in the day time or the night time, in the presence of a Constable, resuse to permit the Gauger to enter his House, &c. he shall incur the Penalties by former Acts \* \* 12 Car.2 inflicted; and the Prosecutor shall not be 15 Car.2 obliged to prove, that such Offenders delivered out part of their Commodities, before they had cleared the Duties.

Such

By 2 W.G. M. Seff. 2.

Such as make Low Wines, Spirits or Brandy from Corn, shall cause their Corn to be made into wholsom Drink, and from such Drink without any mixture shall draw their Low Wines; and the Gaugers of Excise may Gauge, and keep an Account of Liquors, Worts, and Drink made for the making Low Wines, &c. and see that they be made from Drink made of Malted Corn entirely: And if Distillers or others mix other Materials, the Gaugers shall charge the Low Wines drawn from Drink so mixed with 1 s. a Gallon.

That no Distiller, or others drawing Low Wines or Spirits from Corn prepared, as aforelaid, shall prepare any Wash from Molossus, or other Materials, from other persons, until he has drawn off, and distilled all the Liquors made or prepared from Corn as aforelaid, on pain to forseit

for every Barrel'of fuch Liquors made of Corn, found undistilled 5 l.

That from the 24th day of December 2690, no maker of Low Wines, &c. should set their Stills at Work, or deliver, or carry out any Low Wines, &c. to their Customers in Cask, or by the Gallon, without notice given to the Office of Excise, for the place where he lives, unless from the 29th day of September, to the 25th of March yearly, between 5 in the Mornings and 8 at night, and from the 25th of March, to the 29th of September, between three

Moloffes.

three in the Morning and nine at Night, on pain to forfeit for every fuch Offence Iol.

But Quere, if this be not expired, because it was to hold but for One year as to the Duties of Excise.

These Penalties to be Recovered , as by

any Law of Excise is directed.

The Gaugers shall take an account of Also by all Wash and other Materials prepared for the said making Low-wines, and of Low-wines, Spirits and Strong-waters, found in the Houses,&c. or in any Wash-back, Cask or other Veffel, used by any Maker of Lowwines or Spirits; and if they mis any Liquor brewed, which they found gauged the last time they were there, not exceeding 24 Hours before, and shall not receive satisfaction what is become of it, they shall Charge the Distiller with so much Lowwines as fuch Liquor missing would have made.

No Corn Distiller or Maker of Low- By Stat. wines, Spirits or Strong-waters for Sale, shall at any time after the first day of March 1691, fet up, use or alter any Tun, Cask or other Brewing Vessel, for brewing or making any Worts, Wash, Spirits or Strong-waters for fale, or use any private or concealed Ware-house, or other place, for laying of any Wash, Low-wines, &c. without giving Notice thereof to the next Office of Excise, within the Limits where

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he inhabits, on pain to forfeit 20% for every Tun.&c. fo fet up, used or altered : and for every private Ware house, &c. and every other person in whose occupation any House or other place shall be, where any fuch private Tun, &c. shall be found. shall forfeit 20 1. one Moiety to their Majesties, and the other Moiety to the Informer.

If any fuch Corn Distiller, Oc. Shall conceal or convey away Low-wines, Spirits, &c. from the fight or view of the Gaugers, he shall forfeit for every Gallon so concealed or conveyed, 5 s. All which Penalties shall be fued for and recovered, as by an Act made in the Twelfth year of the Reign of the late King Charles the Second, Entituled, An Act for taking away the Court of Wards and Liveries, Oc. and another Act made in the 15th year of his Reign, Entituled, An Additional Act, for the better Ordering and Collecting the Duties of Excise, &c. Or by any other Law in force, relating to the Revenue of Excise on Beer and Ale, is directed.

By Stat. Moloffes, Ø 6.

All Distillers and others, who make any 7 & 8 W. Low-wines, Spirits or Brandies from Corn, 3. cap. 30. shall cause their Corn to be brewed, and from fuch Drink, (without any mixture of Molosses, Wash, Tilt, or other Materials) shall draw their Low-wines or Spirits of the first Extraction. And the Gaugers of Excise shall keep an account of the Liquors, Wort or

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Wort and Drink made by such Distillers, or others, for making such Low-wines, Spirits or Brandies, and see that the same be made as above-directed; and in case any. Distiller shall do otherwise, the Gauger shall Charge the Low-wines drawn from such Drink with the Duty of Is. the Gallon.

No Distiller, or others, drawing Lowwines from Corn, shall prepare any Washfrom Molosses or other Materials, or receive such from any person, till he has distilled all the Liquors prepared from Corn, on pain of Forseiture for every Barrel of Corn-

Liquor found undistilled 5. h.

After the 25th of March, 1696, no Distiller, or Maker of Low-wines, Aquavitæ, or Strong-waters, shall set their Stills at Work, or deliver out any such Low-wines, &c. without Noticesirst given to the Officer of the Excise, for the Division-where he lives, that such Officer may be present to see and gauge the Quantities, unless from the 29th of September to the 25th of March yearly, between the Hours of 5 in the Morning and 8 in the Evening, and from the 25th to the 29th of September yearly, between the Hours of 3 in the Morning and 9 in the Evening, under the Penalty of 10 h.

If any Maker of Vinegar, Cyder, Mead, Metheglin or Sweets for Sale, shall hide or convey away any such Liquors from the

fight

fight of the Gauger, appointed to take account of the same, every such Maker of such Vinegar, &c. shall forseit 40 s. for every Barrel of Vinegar, or Liquor prepared for Vinegar or Sweets so hid, and so proportionably for every Hodgshead of Cyder 40 s. and for every Gallon of Metheglin or Mead 5 s.

In case any Maker or Retailer of Vinegar, or other the Commodities aforesaid, refuse to permit the Gauger in the Day time, or with a Constable in the Night to enter his House, or other place used by him, to take account of any the Liquors aforesaid, such

Maker shall forfeit 15 %.

No maker of Vinegar or Sweets, shall fell, or deliver, or carry out the same either in whole Cask or by the Gallon, without Notice sufficient to the Officer of Excise, for the Division where he lives, (unless at such times of the Year, between such Hours as aforesaid) under the Penalty of 40 s. for every Barrel of the same so carryed out.

Persons making Verjuice for Sale, shall

pay Duties of Cyder and Perry.

All Fines, Penalties and Forfeitures by this Act imposed, shall be recovered and levied, as any Fine, Penalty and Forfeitures, may be by any Law of Excise, or by Action of Debs, &c. in any of the Kings Courts at Westminster, one Moiety to the King, the other to him that shall discover and sue for the same.

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By a late Act of 8 & g of His present Majesty, The Distiller or Maker of Lowwines, Spirits or Strong-waters, for Sale or Exportation, that shall erect or set up any Tun, Cask, Wash-batch, Copper, Still or other Veffel, for the brewing, making or keeping any Worts, Wash, Lowwines, Spirits or Strong-waters, or shall alter or enlarge any fuch Veffels already erected or fet up, or keep any fuch private or concealed, or any private or concealed Ware-house, Store-house, Cellar, or other place, for the brewing, making, laying or keeping any Worts, Wash, Low-wines, Spirits or Strong-waters, without first giving Notice thereof at the next Office of Excise, within the Limits of his Habitatation, forfeits for every Tun, Cask, &c. fet up, altered or enlarged, kept private or concealed, 20 %.

And the Person in whose occupation any House, Out-house, or other place whatsoever, is or shall be, where such private and concealed. Vessels or Store-house shall be

discovered or found, forfeits 50 1.

Such Persons as keep any Wash, Cyder, or other Materials fit for Distillation, and have any Stills containing 20 Gallons, or upwards, proved upon Oath by one Witness before some Justice of Peace, shall be deemed a Common Distiller for Sale, and liable to the Duties of Excise, and subject to the Penalties and Forseitures of the Law.

The Fines and Penalties of this Act, to be recovered as other Fines, &c. by any Law of Excise, or by Action of Debt, &c. in any Courts of Record at Westminster; one Moiety to His Majesty, the other to him that shall discover, inform or sue for the same.

And it shall be lawful for any Person, who upon Encouragement of the Act of 2 W. & M. (for distilling Brandy and other Spirits from Corn, &c.) fet up Works accordingly; or shall hereafter set up any Works or Offices for that purpose, upon Notice to the Commissioners of Excife, within 10 Days after entring such Office or Work, to make, draw or diftil. for Sale, or to be Retail'd, any Low-wines or Spirits from Drink brewed from Maulted Corn or Cyder, and to recline and refine any fuch Spirits of their own making only, paying the Duties, and being subject to all Fines and Penalties, as other Distillers are.

Thus much here for the Distiller, concerning whom I have spoke at large, because these Acts, if expired, may probably be revived and continued. But see more in tit. Malt sters.

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And first of Farmers, and with them of Farmers. Husbandmen, Market-men, Petty Chapmen, and the like.

By 4 H. 7. 16. None shall take more Farms than one, of any Manors, Lands, Tenements, Parsonages or Tythes, in the Isle of Wight, which one shall not exceed ten Marks in yearly value, in pain of forfeiting 101. to the King for every such taking; and this was to avoid depopulation.

By Stat. 25 H. 8. 13. None shall receive or take in Farm, for term of Life, Years or at Will, by Indenture, Copy of Court-Roll or otherwise, any more Houses or Tenements of Husbandry, whereunto any Lands are belonging, in Town, Village, Hamlet or Tything within this Realm, above the number of two such Holds or Tenements; and they are to be scituate in the same Parish where he dwells, in pain to forseit to the King and Informer 3 s. 4 d. for every Week he takes the Profits of them.

By Stat. 21 H. 8. 13. No Spiritual Perfon shall take to Farm to himself (or to any other for his use) any Lands or other Hereditaments, for Life, Years or at Will, in pain to forseit 10 l. for every Month he so continues the same, to be divided betwixt the King and the Prosecutor. But this Act not to extend to any Spiritual Person, for taking any Archbishopricks, Bishop-

Bishopricks, Abbies, Priories, or Collegiate, Cathedral or Conventual Churches, nor to any such Person who shall tender or make any Traverse upon any Office con-

cerning his Freehold.

The said Act also provides, That no Spiritual Person shall take in Farm any Parsonage or Vicarage, in pain to forfeit 40 s. for every Week that he, or any other for his use, so occupies the same, and also Ten times the value of the Profit or Rent that he makes thereof; both which Forseitures are to be divided betwixt the King and the Prosecutor.

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See after.

Also by 25 H. 8. 13. None shall keep in his own possession, at any one time, above Two thousand Sheep, in pain to forseit for every Sheep kept above that number 3 s. 4 d. to be prosecuted for a Subject within one Year, and for the King within three; but here Lambs shall not be accounted as Sheep till Midsummer Twelve-

month after their fall.

And if any happen to have more Sheep than two Thousand, by reason of any Executorship or Marriage, they shall not be impeached by this Law, so that in one year after they put off so many, that at the end of that year they may not have above Two thousand: Neither shall a Child, during his Nonage (nor any Person for him) be endamaged by this Act, which Child

Sheep.

Child shall have by Legacy above Two

thousand Sheep given him.

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But every Temporal Subject may keep (upon his own Demesn Lands) as many Sheep as he will, or for the Maintenance of his House, above the number of Two thousand, notwithstanding this Act.

A Thousand of Sheep meant by this Statute, shall be accounted after the rate of

Six Score to the Hundred.

Iustices of Peace have power to hear and determine the Offences committed against this Act; but shall not take a less

Fine than is limited by the same.

There are feveral Statutes concerning Husbandry, Tillage, &c. as 4 H. 7. 19. 7 H.S.1. 27 H.S.22. 5 Eliz.2. 14 Eliz. 11. but these seem to be repeald or out of use, and as such are not taken notice of

in the late Abridgments.

By Stat. 27 H. 8. 6. Every one having Inheritance or Freehold in a Park kept for Deer, and a Mile about, or his Farmer, shall keep two Mares able and apt to bear Mares. Foals, each of them being Thirteen Hands high from the lower part of the Hoof to the highest part of the Shoulder, and each Hand containing four Inches in pain of 40 s. for every Month they want them; and if the Park be four Miles about, they shall keep four such Mares upon the like pain.

If any of the Mares dye, they have three Months given them to provide another, without danger of incurring the faid

Penalty.

They shall not suffer their Mares to be leapt by any Stoned Horse under 14 Hands high, in pain of 40 s. the Forseitures to be divided betwixt the King and the Prosecutor.

But this Act not to extend to Westmoreland, Cumberland and Northumberland, nor the Bishoprick of Durbam; nor to Parks, wherein the Inhabitants of the Town next adjoyning have Common.

And Spiritual Persons may sell the increase and breed of their Mares, notwith-

Stading this Act.

AT H.P.13.

Yet by the 21 of H.S. 13. No Spiritual Person shall by himself, or any other for his use, buy to sell again for proset, any Cattle, Victual or Merchandize whatsoever, in pain to forseit treble the Value thereof, to be divided betwixt the King and the Prosecutor, and every such Bargain shall be void.

Howbeit that Statute allows him to buy Horses, Mares, or other Goods, for his necessary use and employment; and in case they happen not for his turn, may sell them again, so as this be done without Fraud or Covin.

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Likewise, those that have not sufficient Glebe or Demesn Lands in right of their Churches or Houses, may (notwithstanding the Act) for the only Expences of their Houses, and for their Carriages and Journeys, take in Farm other Lands, and buy and fell Corn and Cattle for the only Maintenance and Pafturage of fuch Farms, fo as it be done for fuch purposes only without fraud or covin.

By 32 H. 8. 13. None shall put to feed upon Forests or Common Ground, any Stoned Horse, being above two years old, and not 15 Hands high from the lower part of the Hoof to the upper part of the Wither, (every Hand containing 4 Inches Standard Measure) in pain to forfeit the

same Horse.

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And it shall be lawful for any man to feize to his own use any Stoned Horse of leffer Stature, put to feed upon any fuch Common Ground, as aforofaid; so that first by the affistance of the Keeper of the Ground, or Constable, Bayliff, Headborough or other fuch Officer of the Parish adjoyning, such Horse be brought to the next Pound, and there by the Officer, and in the presence of three other sufficient Men, be measured and found lower than the Stature.

Those that refuse to Measure, or to be present at Measuring of such Horse, shall torfeit 40 s. apiece for every such default, to be divided betwixt the Kidg and the Profecutor.

But an Horse that makes an Escape into such a Common shall not be questioneed; so that he stay not above Four days after Notice thereof given at the Owner's House, or in his Parish Church.

Upon the yearly Driving of Forests and Common Grounds, if any unlikely Fills be

found, they shall be kill'd.

Justices of Peace in Sessions have power to hear and determine these Offences; but Stewards of Leets only to take Presentments of them, which they shall certifie in at the next General Sessions, or to the Custos Rosulorum, in pain of 40 s.

None shall put upon Common Grounds or Common Fields, any scabbed or infected Horse, in pain to forseit 10 s. to the

Lord of the Leet.

But this Statute shall not restrain keeping of Herses under the Stature upon Commons, where Mares are not usually

kept.

But this Statute of 23 H.8.13. Shall not restrain the keeping of Stoned Horses of a lower Stature in the Fen-Grounds of the Isle of Ely, and of the Counties of Cambridge, Huntingdon, Northampton, Lincoln, Norfolk or Suffolk; so that the Horses there kept be not under 13 Hands high, 8 Eliz. 8.

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That none shall convey any Horse out of this Realm without the Kings Licence, nor any Mare above the value of 6 s. 8 d. in pain of Forseiture, betwixt the King and Seizure, &c. But not to prohibit any to Transport without Licence any Horse for his own use, he making Oath before the Customer or Searcher, That he intends not to sell him, &c.

But the Statute of 1 E. 6.5. provides, That none shall convey, sell or deliver any Horse into Scotland, or any other Foreign Country (without the Kings Licence, or for his Service in the Wars) in pain to forseit such Horse and 40 l. to be divided betwixt the King and the Prosecutor: But Mares under the value of 10 s. may be

The Wardens of the Marches and Justices of Peace in Sessions, have power to determine these Offences, and it shall be lawful for any of the Kings Subjects to arrest or imprison any Scotchman, or other, that shall convey any Horse contrary to

this Act.

conveyed.

He that has the King's Licence, to convey Horses into Scotland, shall before he so convey him, shew his Licence to one of the Wardens of the Marches (that their Number may be Kalendred) in pain to forses

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his Horses or the double value of them, to be divided betwixt the King and the Prosecutor.

Note, The Stat. 8 Eliz. 3. lays a severe Penalty on such as shall transport Sheep; of which hereaster.

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As concerning Market-men and Chapmen, Care ought to be taken left they incur the Penalties provided against Forestallers, Regrators and Ingrossers.

Forestaller, what.

By the Stat. 5 & 6 E. 6. 14. He or the that shall buy or contract for any Merchandize, Victual, or other thing what soever (in the Way,) before it shall be brought (by Land or by Water) unto any City, Port, Road, Fair or Market where it should be fold; or shall cause the same to be so bought; or shall disswade People from bringing any such Commodity to any such place; (or being bought) shall perswade them to inhance the Price thereof, shall be adjudged a Forestaller.

Regrator,

A Regrator is he that buys any Grain Wine, Fish, Butter, Cheese, Candles, Tallow, Sheep, Lambs, Calves, Swine, Pigg Geese, Capons, Hens, Chickens, Pigeon Coneys, or other dead Victual whatsoever brought to a Fair or Market to be so there, and doth sell the same again in the same Fair or Market, or in some other Fair or Market within sour Miles.

An Ingroffer is he, that gets into his Ingroffer; Hands by Buying, Contract or Promife, what. (other than by Demise, Grant or Lease of Land or Tythe) any Corn growing in the Fields, or other Grain, Butter, Cheefe, Fish, or other dead Victual whatfoever, with intent to fell it again.

The party guilty of any of the Offences aforesaid, shall forfeit for the first Offence the value of the Goods so bought or had, and two Months Imprisonment without

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For the second Offence, he forfeits the double Value, and fix Months Imprisonment without Bail.

For the third, he shall forfeit all his Goods, be fet upon the Pillory, and Impri-

foned at the King's pleafure.

But this Act shall not restrain the buyng of Barley or Oats, to be converted into Mault or Oatmeal, nor the provision of ny Town Corporate, Ship, Castle, Fort, Berwick, Holy Island, &c. or any Fishnonger, Inn-holder, Victualer, Butcher, Poulterer, or People dwelling within one file of the Main Sea, which use to buy nd fell Fish, for any thing concerning peir several Mysteries or Tradings, they letailing the same at reasonable Prices: or any Badger, Lader, Kidder or Carner Fa er, assigned to that Office by three Juices of the Peace, and delivering the ommodity out of his hand within one Month

Month after he buys it; nor the taking of any thing referved upon any Leafe: So that all these things are done without fraud

or Fore-stalling.

He that buyeth Grain in any Market for change of Seed, shall bring as much the same Day, and sell it, if he can, according to the present price of Grain there, in pain to sorfeit double the value of the Grain so bought.

He that buys any Cattle, and fells the same again alive within five Weeks, shall forfeit the double value thereof; during which time he ought to keep them upon Pasture, which he hath either by Grant or

Prescription.

Justices of Peace in Sessions have power to hear and determine the aforesaid Offence by Inquisition, Bill or Information, or by the Testimony of two Witnesses, and to exact the One half of the Forseitures to the use of the King, and cause the other half to be levied to the use of the Prosecutor by Fieri facias or Capias, and when the Prosecution shall be at the King's Suit only, to exact the whole to the King's Suit only, to exact the whole to the Kings use But none shall be punished twice for the same Offence.

Also this Act shall not restrain the Transporter of Grain or Cattle from Port to Port (allowed by three Justices of the Peace, and not Fore-stalling) so that to Embark the same within 40 days after to

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Neither shall this Ast restrain a Drover, allowed by three Justices of the Pcace, (one of the Quorum) and selling his Cattle at 40 Miles distance from the place where he bought them. Howbeit such Allowance ought not to continue above one year.

And the Offences against this Statute

shall be prosecuted within two years.

Note, That by the Act 3 & 4 W. & M. cap. 8. It shall be lawful for any persons, Native or Foreign, at any time to Ship and Transport into any part of the World, in Amity with His Majesty, Beef, Pork or Hogs-sleih, Butter, Cheese or Candles, free from Custom or Imposition whatsoever.

By the Stat. 13 Eliz. cap. 25. the faid Stat. 5 & 6 Ed.6. c. 14. shall not extend to Wines, Oyls, Sugars, Spices, Currans or other Foreign Victual brought from beyond Sea; (Fish and Salt only excepted.)

By the Stat. 23 E. 3. 6. All Butchers, Fishmongers, Regrators, Hostlers, Brewers, Bakers, Poulterers, and all other Sellers of Victuals, shall sell the same at reasonable prices, and for moderate gain, in pain (upon proof of the contrary before the Sheriff or the King's Bayliss, or before

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the Constables of the place, by the Evidence of Two true Men) to forseit the double value thereof to the party damnified, or (in default) to him that will Sue for the same: And all Mayors and Headboroughs of Corporations have like Power; and upon neglect of their Duty herein, shall sorseit the treble value thereof to the party Prosecutor, as aforesaid; and besides, shall incur a Fine to the King, to be imposed by the Justices, to be affigued by the King: But here regard is to be had to the Price in places adjoyning, and Gains, as brought from more distant places.

By the Stat. 31 Ed. 3. 10. Every man that bringeth Victual to London, by Water or Land, may freely fell the fame; and the Fishers, Butches and Poulterers that interrupt them, shall be punished by the Mayor and Aldermen of London, under whose

Rule they are ordered to be.

And so are all Vintners, and Victuallers coming with their Victuals to London, by

Stat.7 R.2.11.

Also by 6 R. 2. 10. Aliens, being in Amity with the King and Realm, may bring in Victual, and sell the same in gross, or by Retail, without the Impeachment of any.

By the Stat. 13 R.2.c.8. Victuallers shall fell their Victuals at such reasonable Prices, as shall be set down by the Justices of Peace in two of the Sessions, to be holden

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betwixt Easter and Michaelmas in pain to be punished at the discretion of such Justices, where no pain is already limited in certain.

And here Sheriffs, Stewards, Mayors, Bayliffs, and all other which have power to keep Affize of Bread and Ale, shall take no Fine or Amercement for any default touching the Affize, for which the Offender

ought to have Bodily punishment.

By Stat. 12 Ed. 2. c.6. No person in any City or Borough, which by reason of his Office ought to keep the Assize of Wine and Victals, as long as he shall be attendant upon his Office, shall buy or sell Wines or Victuals, in pain to forfeit the same to the King, whereof the Prosecutor shall have the third part of the King's gift.

And by 6 R.2. Stat. 1.e.9. No Victualler in London, or other City, Borough or Port of the Sea, shall execute any Judicial Office there; and in case any be chosen in the places aforesaid into such Office, he shall forbear to use Victualling during the time he exerciseth such Office, in pain to forseit.

the Victuals fold.

And by Stat. 12 Ed.4. & 8. No person (other than Mayors, Baylists, Lords of Leet, or others in point of Charter) shall execute any Office of Searching or Surveying Wine, Ale, Beer, or any other Victual, or of the Correction of breaking the Assize thereof, in pain to forseit 40 l. to be divided

ded betwixt the King and the Prosecutor; And all Letters Patents for the King, granted for that purpose, shall be void.

By Stat. 2 H. 8.8. When a Victualler (in a City or Corporation) is chosen to bear an Office, by reason whereof he ought also to have the Assizing of Victual during that time, two other (being no Victuallers) shall be joyned and sworn with him, truly to assess and set Prices and Assizes of Victual there, and they shall be sold accordingly; but here the Officers in London, York and Coventry are excepted.

By the Stat. 25 H. 8. 2. The Prices of Victual in all places (except Corporations) shall be affested by the Kings Counsellors, Justices of either Bench, and some other

Great Officer &c.

Provided, That Head Officers in Corporations and others, having Authority to prize Victual, may still affess the Prices thereof, as if this Statute had not been made.

The Stat. 23 H. 6. 13. appoints, That Justices of Peace shall, twice every year, cause all Statutes concerning Victuallers (before that time made) to be openly proclaimed in Sessions.

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As to Petty Chapmen it is observed, That Petty by a late Statute made 8 & 9 Wil. Regis, Chapmen. it is Enacted, That from the 24th of Pedlar. June 1697, to the 25th of June 1698, Hawker. every Hawker, Pediar, Petty Chapman, or any other Trading person or persons, going from Town to Town, or other mens. Houses, and Travelling either on Foot or with Horse, Horses or otherwise, within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, carrying to felf, or exposing to fale any Goods, Wares or Merchandizes, shall pay: unto his Majesty Four pounds: And that every person so Travelling with a Horse, As or Mule, or other Beast, bearing or drawing Burthen, shall pay Four pounds for each Horse, As or Mule, or other Beast bearing or drawing Burthen, that he or she fo Travel with, over and above the first Four pounds.

That every Pediar, Hawker, Petty. Chapman, and any other person or persons so Travelling as aforesaid; shall before the 24th of June 1697. give a Note in Writing unto the Commissioners for Transportation, &c. how or in what manner he or she will Travel or Trade, whether on Foot, or with Horse or Horses, &c. and shall thereupon pay one Moiety of the Duty, and give Bond with Surety for the other, to be paid at the end of Six Months; unless

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he or she will then pay it down, in which Case Two shillings in the Pound shall be allowed for prompt payment, and thereupon a Licence to Travel or Trade shall

be granted to the party.

That if any such Hawker, Pedlar or Petty Chapman, from and after the said 24th of June be found Trading, as afore-said, without or contrary to such Licence, such person shall for each and every such Offence forseit Twelve pounds; one Moiety to the Informer, the other to the Poor of the Parish wherein such Offender shall be discovered.

That every person so Trading, who upon demand made by any Justice of the Peace, Mayor, Constable or other Officer of the Peace, of any Town Corporate or Borough where he or she shall so Trade, shall refuse to shew unto such Justice, &c. his or her Licence, shall forfeit Five pounds, to be paid to the Churchwardens of the Parish, for the use of the Poor of the Parish where such demand shall be made; and for non-payment shall suffer as a Common Vagrant, and be committed to the House of Correction.

Such as forge or counterfeit any such Licence, or Travel with such, for the purposes aforesaid, shall forseit Fifty pounds; one Moiery to the King, the other to the Prosecutor, to be recovered in any of His Majesties Court of Record at Westminster,

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and shall be subject to such other pains and penalties as may be inflicted on persons for

Forgery.

Such as are Sued for putting this Act in Execution, may plead the General Issue, Not Guilty, and give the Special Matter in Evidence; and if it go against the Plaintist, the Defendant shall have treble Costs.

The Constable, Headborough, &c. that being required, refuses to be aiding in the Execution of this Act, being Convicted by the Oath of one or more credible Witnesses before any Justice of Peace for the County or place where such Offence shall be committed, shall forfeit for each Offence Forty shillings, to be levied by Warrant, by Distress and Sale; one Moiety to the Poor, the other to the Informer that shall prosecute for the same, rendring the Over-

plus to the Owner.

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Any person may seize and detain any such Hawker, &c. or other such Trading person, as aforesaid, till he or she shall produce a Licence; and if none, then till Notice may be given to the Constable, &c. or some other Parish Officer, who are required to carry the person to some Justice of the Peace of the County or place, who is also required, upon the parties Confession or due proof by Oath, of his so Trading and no Licence now produced, to cause the said Twelve pounds, to be forthwith levied by distress and sale of the Offenders Goods, rendring

rendring the Overplus, after deduction of Charges; and out of the said Sale to pay the said respective Penalties and Forseitures aforesaid.

This Act not to prohibit any person From Selling any Acts of Parliament, Proclamations, Gazets, Licensed Almanacks, or other printed Papers Licenfed by Authority, or any Fish, Fruits or Victuals; nor to hinder any person or persons, who are the real workers or makers of any Goods or Wares, within the Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed, or his, her or their Children, Apprentices, Servants or Agents, from carrying abroad, exposing to Sale and felling any of the faid Goods or Wares of his or their own making, in any publick Mart; Fairs, Markets or elsewhere: Nor any Tinker, Cooper, Glazier, Plumber, Harnessmenders, or other persons usually Trading in mending Kettles, Tubs, Houshold-goods or Harness whatsoever, from going about and carrying with him or them proper Materials for mending the same.

Neither shall this Act be construed to extend to hinder any person or persons from Selling, or exposing to Sale any sorts of Goods or Merchandize in any publick Mart, Market or Fair, within the Kingdom of England, Dominion of Wates and Town of Berwick upon Tweed; but that such person and persons may do therein; as they

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lawfully might have done before the making

of this Act.

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Neither shall this Act extend to give any power for the Licensing any Hawker, Pedlar or Petty Chapman, to sell or expose to sale any Wares or Merchandizes in any City, Borough, Town Corporate, or Market Town within this Realm, any otherwise than might have been done before the making of this Act.

## Fishers, Fowlers, &c.

By 3 1 Ed. 3. Stat. 2. 2. No Piker shall buy any fresh Herring in Farmouth Haven, between the Feasts of St. Michael and St. Martin, in pain of Imprisonment at the King's Will, and to forfeit the Herring so bought.

No Piker of London, or of any other place, shall enter into the Haven there to abate the Fair, in pain to forfeit the Vessel

and all the Goods thereof.

By 21 E.3. Stat. 3.1. Doggers and Land' Ships of Blackney Haven, and the Coasts thereabouts, shall discharge their Fish in the Haven, and not elsewhere, in pain of smprisonment at the King's Will, and to forfeit their Fish, and it shall be sold on Shipboard.

By 22 Ed. 4. 2. None shall fell, or set to sale any Salmon by Vessel before it be viewed, unless the But contain 84 Gallons,

and

and the half Barrel 42 Gallons, and the quarter Barrel 21 Gallons, well pack'd, Viz. the Great Salmon by it felf, without mingling any Grills or broken-bellied Salmon therewith; and the small Fish, called Grills, shall be packed by themselves without such mingling, in pain to forfeit for every Vessel otherwise pack'd and set to sale 6 s. 8 d.

None shall set any Herring to sale in Vessel, unless the Barrel contain 32 Gallons, and the half Barrel and Firkin accordingly. They shall also be well packt, of one times packing and salting, and as good and as well packt in the midst as at the ends, in pain to sorfeit for every Vessel, wanting Measure 35. 4 d. and as much

for not being packt by this Act.

None shall set to sale any Eels by Vessel, unless the Barrel contain 42 Gallons, and the other lesser Measures accordingly; neither shall any mingle red, gall-beaten, starved or pull'd Eels with good Eels, but pack the good Eels by themselves; nor put to Sale any red Eels at all, in pain to forseit for every Vessel wanting Measure 10 sand as much for every Vessel mixt, packt or set to sale contrary to this Act.

None shall set to Sale any Barrel'd Fish, unless it be well packt, viz. the Great Fish (called Tail Fish, containing in length, from the Bone in the Fin to the third Joynt in the Tail, 126 Inches) by themselves,

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and the Leffer Fish (called Grills) by themfelves, without mixing Thukes or brokenbellied Fish therewith; neither shall the said Fish be laid double in the packing, nor the Napes thereof longer than the little Bone that resteth upon the great Fin; and the Bone shall be taken away to the Navel of every such Fish, which shall also be splatted within a handful of the Tail, in pain to forseit for every Barrel of Fish otherwise ordered 3 s. 4 d.

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The Forfeitures of this Act shall be divided betwixt the King and the Prosecutor; howbeit, within a Franchile, the Lord of a

Liberty shall have the Kings part:

None shall take any Salmons between 13 R.2.19 the 8th of September and the 11th of November, in any Rivers or Waters, or shall take young Salmons at any Mill-Pool, or any other place, between the midst of April and Midsummer: Or at any time cast into any Waters any Nets, by which the Fry of any Fish may be taken or destroyed, on penalty for the first Offence to have his Nets or Engin burn'd, for the second be Imprisoned three Months, and for the third a whole year.

Whosever shall with any Net or other means whatsoever, take and kill any Young brood, Spawn or Fry of any Fish in any Flood-gate, Pipe or Tail of any Mill, Wear, Stream, or River, Salt or fresh Water; or shall take there any Salmons or Trouts

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out of Season; (that is,) being Keepers or Shedders; or shall take or kill any Pickerel under 10 Inches, or Trout under 8 Inches, or Salmon under 16 Inches, or Barbel under 12 Inches Fish in length; or shall sish in any of the said places with any Net, but such whereof every Mestr shall be two Inches and an half broad, shall forfeit for every Offence 20 s. the Fish and Nets: But here Angling and the taking of Smelts, Gudgeons, Eels, &c. in places only where they have been usually taken, is excepted.

Yet this Statute of I Eliz. 27. doth not extend to any River where the King hath'

any yearly Rent or Profit.

Whosoever shall unlawfully break, cut down or destroy the Head or Dam of any Pond, Stew or several Pit, wherein Fishes are put by the Owner thereof; or shall wrongfully fish in any of the same, to the intent to take away the same against the Owner's Will, shall pay to the party grieved treble Damages, suffer three Months Imprisonment, and then to be bound to the Good Behaviour with Sureties for Seven years; and the party grieved may take his further Remedy for his Loss and Damages, and may release his Suretiship of good abearing at any time within the Seven years.

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By Stat. 3 Fac. 1.c. 12. None shall erect a Fry of Wear or Wears along the Sea-shoar, or in a Fish. nyHaven or Creek, or within 5 Miles of the Mouth of any Haven or Creek, or fhall willingly destroy the Spawn or Fry of Fish, in pain of 10 l to be divided betwixt the King and the Profecutor; neither shall any Fish, in any of the faid places, with any Net of a less Mesh than three Inches and an half betwixt Knot and Knot (except for the taking Smoulds in Norfolk only ) or with a Canvas Net or other Engin, whereby the Spawn or Fry of Fish may be destroyed, in pain to forfeit the laid Net or Engin and 10 s. in Mony, to be divided betwixt the Poor of the Parills and the Profecutor and to be levied in Corporations by the Head-Officers, and in other places by diffress and fale of Goods upon a Warrant of a Justice of Peace, directed unto the Constables and Churchwardens of the same Parish for that purpose. Drift New

By Stat. 13 & 14 Car. 2. cap. 28. None &c. from the first of June to the last of November, in any year, shall take Fish with any Drist-Net, Trammel or Stream Net or Nets, or other Nets of that fort, within one League and an half of the Shoar of Cormwal or Devon, on pain to forfeit the Nets, or the value of them, and be one Month Imprisoned.

If any, not being Owners, Partners on Adventurers in the Craft of Fishing, make

Pil-

Pilchards or Fumathoes in Cask, to be fold or transported, except they buy them of the respective Owners, or with their leave, they shall forfeit them or their value; one half to the King, the other to the Informer.

Pilchards.

Purloyners, Imbezellers (&c.) of Pilchard fish, shall satisfie treble the value and be sent to the House of Correction for three Months; and suspicious persons slocking together about the Boats, Nets and Cellars belonging to the Pilchard Crast, upon the Coast of Cornwal and Devon, being warned to be gone, and refusing, upon Complaint to any Justice of Peace, shall pay 5 s. to the Poor of the Parish, or be set in the Stocks sive Hours,

Packers of Fifh. By Stat. 15 Car. 2. cap. 16. No Herring of English catching shall be put to Sale, but what shall be packed in lawful Vessels, and well laid and packed, and shall be of one time taking, salting or drying, and equally packed in every part of the Vessel, and by a sworn Packer; by whom the Vessel shall be marked with a Mark denoting the guage thereof and the quantity and quality of Herrings, and the place where packed.

The Bayliffs of Great Yarmouth, and the Head Officers of every Port, &c. where any Vessels go to fish for Herring, before the first of July in every year, shall appoint Packers, and give them an Oath for well executing their Office, on pain to

forfeit.

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forfeit 100 l. half to the King, and half to the Profecutor.

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No Vessel shall proceed upon a Fishing. Fishing in Voyage from Iseland or Westmony, out of Newfoundany Port, &c. till the 10th of March in any year, on pain to forfeit such Ships and Fish caught.

No person shall levy or take in Newfoundland any Duty for any fish of English catching, on pain to forfeit double the value of what he takes.

None shall lay Nets in or near Newfoundland to take the Spawn or Fry of the Poor- John, or for any other use, except for taking Bait, on pain to lose such Nets and Fish taken, or the value; to be recovered in any of the Kings Courts in Newfoundland, or Courts of Record in England.

None shall destroy or steal any Utensils for fishing or making Oyl, or other Goods left in any Harbour in Newfoundland or Greenland by English; or destroy any House built there by English, to live in during the Fishing-season, or stay for ordering of Fish or making Oyl, on pain to lose double the value, to be recovered in any of the Courts aforesaid.

By Stat. 22 & 23 Car. 2. cap. 25. If any Fishing in persons shall take any Fish by any device several Water. whatfoever, in any feveral Water or River, or shall be affishing thereunto, without confent of the Owner of the faid Water, and

be thereof, or of any other Offence mentioned in this Act, Convict, by Confession or Oath of one Witness, within a Month after the Offence committed, before any Justice of Peace of the County or place; every fuch Offender, in stealing, taking or killing Fish, shall give such recompence, and within such time as the Justice shall appoint, not exceeding treble Damages; and pay down presently, to the Overseers for the Poor of the Parish where the Offence is committed, fuch Sum as the Juffice shall seem meet, not exceeding 10 s. In default of payment, the same to be levied by diffress and fale of Goods by Warrant of fuch Justice; and for want of a Distress the Offender to be Committed, not exceeding a Month, unless he enter into Bond, with one or more Sureties to the party injured, not exceeding 10 l. never to offend in like manner.

The Justice before whom such Offenders shall be Convict, may destroy all the Engins wherewith he may be apprehended or

taken.

Persons aggrieved by any Judgment by virtue of this Act, may appeal to the next Quarter-Sessions, whose Order shall be final, if no Title to any Land, Royalty or Fishery be therein concerned.

This Act shall not abridge any Royalty or Prerogative Royal of the King; nor any part of the Forest Laws of this Realm.

By Stat. 30 Car. 2. cap. 9. If any person Fishing in Thall in the River of Severn, fish or make the River use of any Engin or Device, whereby any of Severn. Salmon, Trout or Barbel, under the length appointed by the Statute of I Eliz. shall be taken or killed, or shall fish with any Net for Salmon, Salmon-mart, Salmon-peal, Pike, Carp, Trout, Barbel, Chub or Grayling, the Mesh whereof shall be under two Inches and an half fquare from Knot to Knot. or above wenty Yards in length and two Yards in breadth, or above fifty Yards in length and fix Yards in breadth in the Wing of the Net in the faid River, from Ripple-Lockstake to Gloucester-Bridge; or above fixty Yards in length below Gloucester Bridge, and six Yards in breadth in the Wing of the Net; or shall fish with more than one of those Nets at once, or shall use any Device for taking the Fry of the Eels: He shall forfeit 5 %. for every Offence, and the Fish so taken and the Instruments wherewith, &c. and 5 1. for every time he or they shall water any Hemp or Flax in the faid River.

If any, between the first of March and last of May, shall do any act whereby the Spawn of Fish shall be destroyed, they forseit 40s. for every Offence, and the Instrument employed for the said pur-

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The Justices of Peace of the Counties of Worcester, Salop and Gloucester, shall be Conservators of the said River in their respective Counties, and make one or more Under-Conservators in their respective Limits, to whom, or to any Constable, Tythingman or Headborough, upon their own knowledge or information of any such Offence, they shall issue Warrants under the Hands and Seals of any two of them, to search in all suspected House, &c. for such unlawful Instruments, and seize them, and bring them to the Quarter Sessions to be destroyed.

None shall be punished for the said Offences, but by Information or Indicament before the Justice of Assize, and Niss prius, Oyer and Terminer, and Gaol-delivery, or the General Sessions of the Peace; the Moiety of the Forseitures shall be to the use of the Poor of the Parish where the Offence shall be committed; the other to the Prosecutor, to be levied by Fieri facias

or Capias ad fatisfaciendum.

The Jurisdiction of the Lords of Leets or Franchises saved, and all Rights, Titles, &c. of the King and others in the said River

By the Stat. 4 & 5 W.& M. cap. 23. it is Enacted, That all Laws in force for the preservation of the Game in this Kingdom, not thereby altered, shall be duly put in Execution.

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And that no person whatsoever should, Fishing after the 25th of March, 1693. keep any with An-Net, Angle, Leap, Pitch or other Engin gle, Net, for taking Fish (other than the Makers and Sellers thereof, for their better Convenience in the fale thereof, and other than the Owner or Occupier of a River or Fishery;) and Owners and Occupiers of Rivers and Fisheries, and fuch as they shall authorize, may feize and keep to their own use any such Engin, which shall be found used by or in the possession of any person whatsoever, fishing in any River without or Fishery without the consent of the Consent. Owner or Occupier; and also any person whatfoever, authorized by Warrant under the Hand and Seal of a Justice of Peace, may fearch the Houses and other places of Persons prohibited and suspected to have in their custody any such Engins, and the and keepfame to feize and keep to their own use, or ing unlawto destroy.

But this Act not to extend to abridge Fishermen, or their Apprentices, lawfully authorized to fish in Navigable Rivers or

Waters with lawful Nets and Engins. That if any inferiour Tradelman, Ap. Tradelman prentice or other dissolute Person, shall or Apprenhunt, hawk, fish or fowl (unless in Com- ing. pany of the Master of such Apprentice qualified by Law) they shall be subject to the Penalties of this Act, and may be sued for Trespass in coming upon any persons Ground.

Ground, in which Suit the Plaintiff shall recover his damage and full Costs.

## Fowlers.

Heathcocks preferved.

That for the better preserving the red and black Game of Growle, commonly called Heath-Cocks, or Heath-Colts, no person whatsoever on any Mountains, Hills, Heaths, Moors, Forests, Chases or other Wasts, shall burn betwixt the 2d day of February and the 24th day of June, any Grig, Ling, Heath, Furze, Gorss or Fern, on pain of being Committed to the House of Correction for any time not exceeding a Month, nor under 10 days, there to be whipt and kept to hard Labour.

And that no Certiorari shall be allowed to remove any Conviction or other Proceedings, concerning any matter in this Act, unless the parties against whom such Conviction shall be, shall before the allowance thereof, become bound to the Profecutor in the Sum of 50 1. with Sureties so approved of by the Justice or Justices of the Peace before whom such Offender was Convicted, to pay to the Profecutor, within a Month after fuch Conviction confirmed, or Procedendo granted, their full Cost and Charges, to be ascertained upon

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Offenders

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Offenders punished by force of this Act, shall not incur the penalty of any other Law for the same Offence.

Persons prosecuted for pursuing this Act, may plead the General Issue, give the Special Matter in Evidence, and recover treble Costs.

By the Stat. 34 R. 2. 22. If any do take away or conceal a Hawk, he shall answer the value thereof to the Owner, and suffer two years Imprisonment, and in case he be not able to answer the value, he shall remain in Prison a longer time.

By the Stat. 37 Ed.3. 19. He that steals Hawks, and carries away an Hawk, not observing the Ordinance of 34 Ed. 3. 22. shall be deemed a Felon.

The last Act says, That every person which findeth a Faulcon, Tercelet, Laner or Laneret or other Hawk, that is lost of their Lord, that presently he bring the same to the Sheriff of the County, and that the Sheriff make Proclamation in all the good Towns in the County, that he hath such a Hawk in his Custody, and if the Lord which lost the same, or any of his People come to challenge it, and proveth reasonably that the same is his Lords, let him pay for the Costs and have the Hawk.

And if none comes within 4 Months to challenge it, that then the Sheriff have the Hawk, making gree to him that did take him.

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him, if he be a simple Man, and if he be a Gentleman and of good Estate to have the Hawk, that then the Sheriff redeliver to him the Hawk, taking of him reasonable Costs for the time he had him in

his Cuftody.

And if any Man taketh such Hawk, and the same conceal from the Lord whose it was, or from his Faulconers, or whose-ver taketh him from the Lord, and thereof be attainted, he shall have Imprisonment of two years, and yield to the Lord the price of the Hawk so concealed and carried away, if he have whereof, and if not, he shall the longer abide in Prison.

Herens.

Also by the Stat. 19 H. 7. 11. None shall take an old Heron without his own Ground in pain of 6s. 8d. nor a young Heron in pain of 16. s. for which Forseitures every Man that will may Sue by Action of Debt or otherwise.

Swans.

By the Stat. 22 Ed.4.6. None (but the Kings Sons) shall have any mark or game of Swans of his own, or to his use, except he have Lands and Tenements of Free-hold, worth five marks per annum, besides reprises, in pain to have them seised, by any having Lands of that value, to be divided betwixt the King and the Seisor.

Fefents, By the Stat. 11 H. 7. 17. None shall parridges, take Fefents or Partridges with Engins, to. fin anothers Ground without License, in pain of 10 l. to be divided betwirt the

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Owner of the Ground and the Profecutor. None shall take out of the Nest any Eggs of Faulcon, Gashawk, Lanner or Eggs of Swan, in pain of a year and a days Im- Hawk and prisonment, and to incur a Fine at the Faulcon. Kings pleasure, to be divided betwixt the King and the Owner of the Ground where the Eggs shall be so taken.

None shall bear any Hawk of English breed called an Eyels, Golhawk, Taffel, Lanner, Lanneret or Faulcon, in pain to

forfeit the same to the King.

He that brings a Eyels Hawk from be- Eyels. yond the Sea, shall have a Certificate under the Customers Seal where he Lands, or if out of Scotland, then under the Seal of the Lord Warden or his Lieutenant. testifying that he is a Foreign Hawk, upon the like pain of forfeiting the Hawk.

None shall take, kill of fright away any of the Hawks abovesaid, from the Coverts where they use to Breed, in pain of 10 1. to be recovered before Justices of Peace, and divided betwixt the King and

the Profecutor.

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Stat. 23 Eliz. 10. None shall kill, or Essante. take any Fesants or Partridges, with any Net or Engin in the Night-time, in pain to forfeit for every Fefant 20 s. and for every Partridge 101. which if the Offender pay not within 10 days, he shall suffer one Month Imprisonment without Bail, and enter into Bond (for two years only) with

good

good Sureties before some Justice of Peace; not to offend in the like kind; the Forfeiture aforesaid shall be recovered in any Court of Record, and divided betwixt the Lord of the Liberty or Manor where the Offence is committed, and the Prosecutor: But in case the Lord shall dispense with the Offender, the Poor of the Parish are to have his Moiety, to be recovered by any of the Church-wardens.

Hunting in standing Grain.

None shall Hawk or Hunt with his Spaniels in standing Grain, or before it is shocked (except in his own Ground, or with the Owners consent,) in pain to forfeit 40s. to the Owner of the same Ground, to be recovered as aforesaid.

Justices of Assize, Justices of Peace in Sessions, and (atterwards) Stewards in Leet have power to hear and determin these Offences, and one Justice of Peace may exmin such an Offender, and bind him over with good Sureties to answer it at the next General Sessions, if the offence be not before determined at the Assizes or in a Leet.

Fowlers.

This Act shall not restrain Fowlers, which unwillingly take Felant or Partriges, and forthwith let them go at large.

By the Stat. 1 Jac. 1. 27. Every person convicted by his own confession, or by two Witnesses upon Oath, before two or more Justices of Peace, to have killed or taken any Fesant, Partridge, Pigeon, Dusk, Heron,

Fefants.

Heron, Hare or other Game, or to have taken or destroyed the Eggs of any Fesant, Fesants Partridge or Swan, shall by the said Ju-Game stices be committed to Prison without Bail, Eggs &c. unless he immediately pay to the use of the Poor where the offence was committed or he apprehended 20 s. for every Fowl, Hare or Egg so killed, taken or destroyed; and after one Months commitment, shall before two or more Justices of Peace be bound with two sufficient Sureties in 20 l. apiece, with Condition never to offend in the like kind again.

Every person convicted as abouesaid to Dogs, Nets keep a Greybound, Dog or Net, to kill or and Entake Deer, Hare, Fesant or Partridge, (unless to less he have Inheritance of 10 l. per annum, all Game. a Lease for Life of 30 l. per annum, or to be worth 200 l. in Goods: Or otherwise, be the Son of a Baron or Knight, or Heir apparent of an Esquire) shall suffer Imprifonment as aforesaid, unless he pay 40 s.

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None shall sell or buy to sell again, any Deer, Hare, Fesant or Partridge, (except Deer, Hare; Fesant or Patridge by them reared up, or Fesant, &c. brought from beyond Sea) in pain to forseit for every Deer 40 s. Hare 10 s. Fellant 20 s. and Patridge 10 s. to be divided betwixt the Prosecutor and the Poor of the Parish, where the offence is committed.

G 3 Justices

Justices of Assize, Justices of Peace in Sessions, and two or more Justices of Peace out of Sessions, have power to hear and determin these Offences.

None shall by any former Law suffer Punishment for the same Offences, for which he shall be punished by this Law.

This Act shall not restrain one licensed in open Sessions, to kill Hawks meat, but then he shall there become bound by Recognizance in 20 1. not to kill any of the Games prohibited by this Law, nor to Shoot within 600 paces of an Hearnry, within 100 paces of a Pigon bouse, or in a Park, Forest or Chase, whereof his Master is not Owner or Keeper; and the Clerk of the Peace his Fee for such License is 12 d.

Stat. 7 Jac. I. 11. Every person convicted by his own Confession, or by two Witnesses upon Oath, before two or more Justices of Peace to have hawked at, or destroyed any Fesant or Patridge betwixt the first of July, and the last of August, shall suffer one Months Imprisonment without Bail, unless he forthwith pay to the use of the Poor, where the Offence was committed or he apprehended 40 s. for every time of Hawking, and 20 s. for every fessant or Partridge so destroyed or taken. He that shall be punished by this Law, shall not be punished again by any other Law for the same Offence.

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This Offence shall be prosecuted within fix Months after it shall be committed.

It shall be lawful for the Lord of a Manor, or any having free Warren, Inheritance of 40 l. per annum, Freehold of 80 l. per annum, or Goods worth 400 l. or their Servants (licensed by them) to take Fesants or Partridges within their own Grounds or Precinct, so they do it in the day time, and only betwixt Michaelmas

and Christmas.

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If any of a mean condition shall be convicted by his own Confession, or by one Witness upon Oath, before two or more Justices of Peace, to have killed or taken any Partridge or Fesant with Dogs, Nets or Engins, he shall by the said Justices be committed to Prison without Bail, unless he forthwith pay to the use of the Poor where the Offence was committed 201. for every Fesant or Partridge so killed or taken, and also become bound before two or more Justices of Peace, in a Recognizance of 20 1. never to offend in the like kind again.

Every Constable or Headborough (upon a Warrant under the hand of two or more Justices of Peace) hath power to search the Houses of persons suspected to have setting Dogs or Nets, for the taking of Fesants or Partridges, and the Dogs and Nets there sound, to kill or cut in pieces at pleasure,

as things forfeited unto the faid Officers.

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## Hunters. Oc.

By the Stat. 13 R. 2. 13. No Lay-man who hath not Land of 40 s. perannum, nor Clark, who hath not so I. Revenue per annum, shall have or keep any Grey bounds, Deer, Hares Hound , Dog , Ferret , Net of Engin, to deltroy Deer, Hare, Conies, or any other Gentlemans Game, in pain of one whole years Imprisonment; which Justices of Peace shall have power to inflict.

> By Stat. 19 H.7. 11. None shall keep any Deer-hays or Buck stalls, fave in his own Forest or Park, in pain to forfeit for every Month they are so kept 40 1. neither Itiall any Italk with any Bufft, or Beaft to any Deer, except in his own Forest or

Park in pain of 10%.

Any two Justices of Peace in Sessions, may examin the Offenders aforefaid, and commit them to Prison, till they have fatisfied the said Forfeitures, whereof the faid Justices are to have the tenth part.

By Stat. 14, 15 H. 8. 10. None shall trace, destroy or kill any Hare in the Snow; and Justices of Peace in Sessions, and Stewards in Leets, have power to enquire of fuch Offenders, and shall Affess upon every fuch Offender 6 s. 8 d. which penalty affelfed in Sessions shall go to the King, but in

a Leet to the Lord thereof.

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By Stat. 3 Jac. 1.13. None shall with Deer and out (the Owners Licence) kill or chace any Conies. Deer or Conies, in any Park or inclosed Grounds, in pain to forseit three Months Imprisonment, to pay treble Damages to the party grieved, to be affessed by the Justices before whom he shall be convict, after the said three Months expired, and to be bound with two good Sureties to the Good-behavior for seven years, or to remain still in Prison, till he find such Sureties. But here the party grieved (being satisfied) hath liberty to release the Behaviour

Justices of Oyer and Terminer, Assize and Peace in Sessions, have power to hear and determin these Offences, and Justices of Peace in Sessions (upon confession and satisfaction to the party grieved,) have

power to release the Behaviour.

If any person not having 40 li per annum Gunsand in Land, or 200 l. in Goods, or some in-Crossbows, closed Grounds used for Deer or Conies, Grown worth 40 s. per annum at least, shall use any Gun, Bow or Crossbow, to kill any Deer or Conies, or shall keep any Buckstall, Ferret, Dog, Net, or other Engin, it shall be lawful for any person (having Lands worth 100 l. per annum) to take such Gun, &c. from any such person and to convert the same to his own use.

This .

Deer.

This Act shall not extend to any Park, or inclosed Ground hereafter to be made or used for Deer or Conies without the

Kings License.

By Stat. 7 Jac. 1. 13. It shall be in the election of the party grieved, whether he will take for satisfaction 10 1. in Mony, or treble damages as by the Statute of 3 Jac.

13. is limited.

By Stat. 12 Car. 2. cap. 10. They that Course, Kill, Hunt or take away Red or Fallow Deer, in any Ground where Deer are kept, without consent of the Owner or person chiefly entrusted therewith, or are aiding therein, on conviction by confession, or Oath of one Witness, before one Justice of Peace, being prosecuted within fix Months after the Offence done; shall forfeit 20 1. to be levied by diffres, by Warrant under the faid Justices hand, one Moiety whereof to the Informer, the other to the Owner of the Deer, and for want of fuch Diffress, shall be committed to the House of Correction six Months, or the Common Gaol for a year, and not to be discharged till Security given for their Good behaviour, one year after their enlargment.

None punished by virtue of this Act,

for the same Offence.

By

By Stat. 22 0 23 Car. 2. cap. 25. Lords Guns feifed of Manors or other Royalties, not under for killing, the degree of an Esquire, may in Writing &c. under their Hands and Seals, Authorize one or more Game-keepers, who may feile all? Guns, Bows, Greyhounds, Setting dogs, Lurchers, or other Dogs to kill Heres or Hares Conies, Ferrets, Tramels, Lowbels, Hays Conies. or other Nets, Hare-pipes, Snares or other Engins, for taking Hares or Conies, Fe- Fefants. Jants, Partridges or other Game used with- &cce in fuch Manors, by persons prohibited by this Act to use the same; such Gamekeepers and others, by Warrant from a Tuffice of Peace may fearch the Houses of fuch persons so prohibited, as shall be suspected to keep such Guns, Bows, &c. and feile them for the use of the Lord of the Manor, or otherwise destroy them.

Persons not having Lands, or some other who may Estate of Inheritance in their own, or in keep Guas their Wives Right of 100 l. per annum, confor Life, or Lease for Ninety nine years, of 150 l. per annum, other than the Son and Heir of an Esquire, or other person of higher degree, and Owners and Keepers of Parks, Forests, Chases or Warrens stocked with Deer or Conses, in respect of the said Forests, &c. are declared to be persons not allowed to keep Guns, Bows,

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None punished by virtue of this Act, shall incur the penalty of any other Law

for the same Offence.

By Stat. 22 6-23 Car. 2. cap. 25. Lords Guns feifed of Manors or other Royalties, not under for killing, the degree of an Esquire, may in Writing &c. under their Hands and Seals, Authorize one or more Game-keepers, who may feile all Guns, Bows, Greyhounds, Setting dogs, Lurchers, or other Dogs to kill Hares or Hares Conies, Ferrets, Tramels, Lowbels, Hays Conies. or other Nets, Hare-pipes, Snares or other Engins, for taking Hares or Conies, Fe- Fefants. lants, Partridges or other Game used with- &cce in such Manors, by persons prohibited by this Act to use the same; such Gamekeepers and others, by Warrant from a Tuffice of Peace may fearch the Houses of fuch persons so prohibited, as shall be suspected to keep such Guns, Bows, &c. and feise them for the use of the Lord of the Manor, or otherwise destroy them.

Persons not having Lands, or some other who may Estate of Inheritance in their own, or in keep Guas their Wives Right of 100 l. per annum, ecc. or for Life, or Lease for Ninety nine years, of 150 l. per annum, other than the Son and Heir of an Esquire, or other person of higher degree, and Owners and Keepers of Parks, Forests, Chases or Warrens stocked with Deer or Conses, in respect of the said Forests, &c. are declared to be persons not allowed to keep Guns, Bows,

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Conses.

If any Man shall enter wrongfully into ground kept for Conies the not inclosed, and chase, take or kill any against the Owner's will, and be thereof convicted in manner following, they shall render treble Damages and Costs, and be Imprisoned three Months, and till they find Sureties for

their good abearing:

Persons that kill or take away in the night time Conies, upon the borders of Warrens, or on other Grounds used for keeping Conies, except Owners, &c. shall make fuch recompence, and within fuch time as shall be appointed by the Iuflice of Peace, before whom they shall beconvicted, and pay to the Overfeers for the Poor of the Parish where the Offence shall? be committed, fuch Sum as the faid Justice shall think fit, not exceeding to s. in default whereof they shall be committed to the House of Correction, for any time not exceeding a Month; and they that use Snares, Haer-pipes and other Engine, shall be liable to the fame penalties.

Dor.

By Stat. 3 & 4. W. & M. cap. 10. it is enacted, That if any perfons shall unlawfully course, hunt, take in Toyls, kill, wound or take away any red or fallow Deer in any Fosest; Chase, Purlieu, Paddock, Wood, Park or other Ground inclosed, where Deer are or shall be usually kept, without the consent of the Owner

or person entrusted with the custody thereof, or be aiding therein, and shall be Convicted by Confession or the Oath of one Witness, before a Justice of the Peace of the County where the Offence shall be committed, or the party apprehended, within a Twelvemonth after the Offence done. they shall forfeit for every such Offence 20 1. and for every Deer wounded, taken or killed, 30 L to be levied by diffress and fale of Goods, by Warrant from the Justice before whom the Conviction shall be made; the one part to the Informer, the other-part to the Poor of the Parish where the Offence shall be committed, and the other Third to the Owner of the Deer; and for want of Distress they shall be imprisoned a year, and fet in the Pillory an-Hour on some Market-day in the Town next adjoyning to the place where the Offence was committed, by the Chief Officer of fuch Market Town, or his Under Officers.

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Constables, Headboroughs and Tythingmen, by a Justices Warrant, may enter and search, as for stolen Goods, the Houses or other places of Suspected persons; and if any Venison, or Skins of Deer, or Toyls be sound, shall carry such Offender before a Justice of Peace, and if he do not give a good account how he came by them, and in some convenient time produce the party of whom he bought them, or prove such Sale

Sale upon Oath, he shall be Convicted of fuch Offence, and be subject to the penalties.

hereby inflicted for killing a Deer.

The Constable, or other Officer or Persons prosecuting, may detain such Offenders in Custody, if they do not presently pay the Moneys due by Conviction till a Return may be made of the Warrant for Distress, such Detainer not exceeding two days.

Owners of any such Deer, or any acting ander them, may result such Offenders, and be indemnished, as if such Fact had been committed in an ancient Chase or

Park.

No Certiorari to be allowed, unless upon Surety, to pay 50 l. as by the Statute of 4 & 5 W. & M. cap. 23. is before observed.

Also, if any person shall in the Night time pull down or destroy, or cause to be pull'd down or destroyed, the Pails or Walls of any Park, Forest, &c. or other Ground inclosed, where red or fallow Deer shall be kept; such persons being Convicted by the Oath of one Witness before a Justice of Peace, shall by such Justices Warrant suffer Imprisonment for three Months.

No Offender punished by virtue of this Act, to incur the penalty of any other Law for the same Offence.

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By the faid Stat. 4 & 5 W. & M. c.23. for the better preservation of the Game, Constables, &c. may Search as before, by 3 & 4 W. & M. cap. 10. the Houses of any persons not qualified; and in case any Game shall be found, the Offender shall be carried before a Justice to purge himself, as in the faid last Act, and upon Conviction, forfeit for every Hare, Partridge, &c. or other Game, any Sum not under 5 s. and not exceeding 20 s. one Moiety to the Informer, and the other to the Poor of the Parish where the Offence was committed. to be levied by diffress and fale of his Goods, rendring the Overplus; and for want of a Distress, shall be Committed to the House of Correction for any time not exceeding a Month, nor less than Ten days, there to be whipt and kept to labour: And if any person, not qualified by Law, do keep or use any Bows, Greyhounds, Setting-Dogs, Ferrets, Coney-Dogs, Hays, Lurchers, Nets, Tunnels, Low-bells, Harepipes, Snares or other Instruments for destruction of Game, and shall be Convicted as aforefaid; and if any person so charged, shall not before the faid Justice, give such evidence of his Innocence, as aforesaid, he shall be Convicted thereof in like manner as the person first charged is directed to be, and so from person to person, till the first Offender be discovered. Lords - Lords of Manors and other Royalties, or any authorized by them, may oppose and resist such Offenders in the Night time within their respective Manors and Royalties, as if such Fact had been committed in any ancient Chase, Park or Warren, inselosed.

### Gangers.

By 15 Car. 2. cap. 11. Gaugers of the Excise shall Weekly, after the Brewer hath or ought to have made his Entry, deliver at his House a Copy of such Return as they have made thereof to the Commissioners, on pain to forseit 40 s.

No Brewer shall be prosecuted for any Missentry or short Entry, if within a Week after delivery of such Copy he certifie his Entry according to the said Return, or

otherwise discharge himself.

No Brewer, or other, shall bribe any Gauger or other Officer, nor they take any Bribe, on pain to forfeit 10 l. which Offences shall be proved by two Witnesses, before two Justices of Peace, or Chief Magistrate of the place where committed; the Penalties to be levied by distress and sale of Goods, by Warrant under their Hands and Seals; and for want of such Distress, the Offenders to be Committed three Months.

By 1 W. & M. Seff. 1. cap. 24 True Notes in Writing of the last Gauges taken thall be left by the Gaugers, with all Brewers, &c. containing the quantity and quality of the Liquors gauged, on pain to forfeit 40 s.

for every neglect.

By 2 W. & M. Seff. 2. cap. 9. If any Gauger, or other Officer of the Excise, shall wittingly make a falle Charge by returning any quantity of Low-Wines, not made from Maulted-Corn, he shall lose his Employment, and pay for every Gallon

fo falfly charged 10 s.

By 7 & 8 W.3. cap.30. Every Gauger shall within three days after the end of every Week, leave with the Brewer, whole Liquors he hath gauged, or fome of his Servants, a true Copy under his hand of each respective Charge by him made upon fuch Brewer in fuch Week; or if any Gauger shall refuse or neglect so to do, or shall charge such Brewer more than such Copy contains, such Gauger shall forfeit for every Offence 10 L to be recovered by any person who shall Sue for the same in any of the King's Courts at Westminster, wherein no Essoign, &c. or more than one Imparlance to be allowed.

Alfo, No Gauger, who shall leave such Copy of his Charges above-directed, shall from henceforth be liable to the Penalties by the Act of 5 & 6 W. & M. cap. 14. imposed for not leaving fuch Notes at the time of Gauging. Alfa

Alfo, Notes in Writing of every Gauge, containing the Inches and Tenths of the Backs, and want of the Tuns, and quality of the said Liquors shall be left by the Guagers with all Common Brewers (if demanded) at the time of taking the Gauges, on pain to forfeit 40 s. with costs of Suit.

Gaugers

By 11 H. 7. 22. The Statute of the 22 of Fift, Or. E. 4.2. is confirmed, and the Gauger, Searcher and Packers appointed, ( viz. ) for Gauging of every Veffel of Fish a Farthing, for Searching and Packing (if need be) of a Barrel of Salmon 1 d. for boning. napping and packing a Barrel of Herring 2 d. and as much for Eels, and for ratable for leffer Measures of ... Herring and Rele

> The Gauger, Searchen or Packer, shall take no more, and that only when they execute their Office, in pain to forfeit their Office. and to fuffer 40 days Imprisonment without Bail.

> > Glass-makers, Potters, Pipemakers . Oc.

Glass-Wares.

By Stat. 6 & 7 W. 3. cap 18. for laying Duties upon Glass-wares, and Stone and Earthen Bottles for five years , (viz.) for Quarts or reputed Quart Bottles per Dozen 12 d. for Pint Bottles of Glas, Stone or Earth per Doz. 6 d. for Bottles less than Pints.

Pints, and more than Quarts, in proportion to those before; for Flint Bottles, Coach-Glass, &c. 20 l. per Cent. for Window-Glass 10 l. per Cent. for all Glass not mentioned 15 l. per Cent.

The Duties to be paid by the Maker and

Importer respectively.

The Duties are to be paid for the Goods imported before Landing, otherwise forfeited; one Moiety to the King, the other to him that will Seize or Sue for the fame. or the value.

Goods made in England, Wales or Berwick, to be valued upon dispute by Affidavit of the Maker, before a Justice of Peace in writing, &c. and the Officer may take them at that value, and 201. per

Cent. more for His Majesties use.

The Makers are to give three days Notice of Kindling their Fires, and to make Entries of the quantities within 24 Hours after Goods made, and must have a Permission for removing their Goods; and the Duties are to be paid within three Months after Drawing or perfect Making: But 10 l. per Cent. is allowed for present payment.

The Officer may fearch Glass House, &c. in the Day-time; and Goods not entred, or concealed, &c. are forfeited, and may be seized by any of the Officers for His Ma-

jesties use.

No Fee is allowed for Entries; and upon Exportation the Duties are to be re-paid.

Furnaces and Utenfils are charged with

the Duties.

Tobacco-Pipes.

By 7 & 8 W. 2. cap. 31. All Unglazed Tobacco-Pipes to be made in England, Wales or Berwick, are to pay 12 d. per-Gross; Glazed Tobacco-Pipes 1 s. 6 d.

and fo proportionably.

Earthen. Ware.

All Wares made here of Earth or Stone; (China Wares, or fuch as are so called, Stone Bottles and Earthen Bottles excepted) 101. for every Hundred of the real. value.

For Tobacco-Pipes imported 5 s. per Gross, and Earthen Wares Lexcept before excepted) not made here, but imported; 10 L for every Hundred of the real Value.

Duties for Pipes and Earthen Wares made here, to be paid by the respective Makers.

And for such as shall be imported; by the importer above the Duties already payable, to be paid before Entry and Landing (unless by Warrant) upon Forseiture of them, or value, one Moiety to the King, the other to the Seifer, or him that shall Sue for the same or value.

Those made here, if dispute happen, to be valued by Affidavit of the maker, before Justice of Peace, to be delivered to the Officer, who may, if he thinks fit, take:

them

them at the value, and 20 per Cent.

The makers are to give notice of their places of Abode and Work-house, upon Forseiture of 20 1. to the King, and him that will Sue.

Also, Notice to be given by the Makers as often as they fill their Kilns, Furnaces, &c. before they draw or break bulk, and to make Entries of the quantities, &c. and not to remove without Warrant; the Duties to be paid down, or secured to be paid within three Months, upon Forseiture of 201 and the Goods endeavoured to be concealed betwixt the King and the Seisor or Suers, but 10 per Cent. to be allowed for ready payment, for the said three Months.

The Officer may Enter and Search Work-houses, &c. in the day time: Such owner as refuses him Entrance forfeits 5 1. one Moiety to the King, the other to him that will Sue for it.

None shall burn new and old Pipes in the same Kiln, under penalty of 20 L betwixt the King and Seisor, or he that will Sue for the same.

No Duty for broken Wares;

No Fees allowed for Entries, and upon Exportation the Duties to be repaid or allowed upon Oath, that the Duties for the same were duly paid.

And

And by 8 & 9 W. 3. It is Enacted, That any Tobacco-pipipe-maker upon drawing his Tobaccopipes, finding them unfit for Sale, may (on notice to the Officer in that behalf) return the same, and then pay the Duty thereon as established by the former Act.

### Goldsmiths, Finers, &c.

None shall sell any work of Silver, unless it be as fine as Sterling; except what Soulder is necessary to be used therein; for which allowance shall be made accordingly.

None shall put to sale any Silver Harness in London before it be touched, and also marked with the Goldsmiths mark, first made known to the Wardens of that Crast, in pain to sorfeit the double thereof.

If the keeper of the Touch, mark such Harness with the Leopards-head, which is not as fine as Sterling, he shall forfeit the double value thereof to the King, and

Damages to the party grieved.

Tork, Newcastle, Lincoln, Norwich, Salisbury and Coventry shall have several Touches (according to the Ordinances of the chief Officers there) which shall be directed by the Orders of London upon the like Forseiture.

No Goldsmiths else where, where there is no Touch, shall put to Sale any work of Silver under the fineness of Sterling, and shall set their Mark thereupon before they so put it to Sale, upon like Forseiture.

All Justices of Peace may hear and determin the Offences committed against this Act; howbeit, if the Mint-master offend he shall be punished according to the form of

his Indentures.

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By Stat. 4 H.7.2. No Finer of Gold and Silver shall allay any fine Silver or Gold, nor sell it (save only to the Officers of the Mint, Changers and Goldsmiths, for the amending of Coin and Plate, for which he shall receive the true value) in pain to forfeit the value of the Gold, or Silver so allaied or sold, to be divided betwixt the King and the Finder: Neither shall any such Finer sell any Silver in Mass, Molten and allayed, in pain to forfeit the same, to be divided betwixt the King and the Finder.

All Fine Silver which is to be parted, shall be made so Fine, that it may bear twelve peny weight of allay in a pound weight, and yet remain as good as Sterling, and every Finer shall put his several mark upon such Fine Silver, in pain to forseit the value thereof, to be divided betwixt the King and the Finder.

No Goldsmith shall melt or allay any fine Silver except it be for making Amels, Goldsmiths work, or mending of Plate, to make it as good as Sterling; neither shall he sell any fine or allaied Silver, molten into Mass to another Goldsmith, or to any other person whatsoever. This Ordinance shall be observed by all Goldsmiths, in pain to forfeit their Silver or the value thereof, to be divided betwixt the King and Finder.

By Stat. 18 Eliz. 15. No Goldsmith shall work, sell or exchange any Goldsmiths ware of Gold under 22 Carets sine, nor shall put more Soulder, amel or other stuffings in his work than is necessary for the sinishing thereof; neither shall he take above 12 d. for the Ounce of Gold (besides the fashion) more than the buyer may be allowed for it at the Queens Exchange or Mint, in pain to forseit the value of the thing sold or exchanged.

No Goldsmith shall make, sell or exchange any Goldsmiths ware of Silver, less in sineness than 11 ounces, and two peny weight, or take above 12 d. for every pound weight of such ware, (besides the sashion) more than the buyer may be allowed for it at the Queens-exchange or Mint, nor put to sale any Silver work, before he has set his own mark to so much thereof, as may conveniently bear the

the same, in pain to forfeit the value of

the thing fold or changed.

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If any Goldsmiths work be marked, and allowed by the Wardens or Masters of that Mystery, and be afterwards found faulty, the Wardens and Coporation of the faid Mystery shall forseit the value of the thing so sold or exchanged, the said Forfeitures are to be divided betwixt the

Queen and the party grieved.

But note, That the Act made in the 5th Stat. 1. W. year of King Henry the fourth, (which & M. Seff. made it Felony to multiply Gold and Sil- 1. cap. 3 0, ver, or use the Craft of Multiplication) is repeal'd: Provided, that all Gold and Silver that shall be extracted by the Art of melting and refining metals, and otherwise improving them and their Oars, shall be imployed for the increase of Moneys and no otherwise; and that the place appointed for the disposal thereof, shall be the Mint in the Tower of London, where they shall receive the value of their Gold and Silver so extracted.

And no Mine of Copper, Tin, Iron or Lead, shall hereafter be adjudged to be a Royal Mine; tho' Gold or Silver may be extracted out of the same. And the Stat. of 5 W. & M. cap. 6. Provides, That the Subjects shall enjoy their Mines, unless the King be pleased to buy their Oar at the prices there fet down.

By 13 & 14 Car. 2. cap. 31. None shall melt the Silver Money of this Realm, on pain to forfeit it and double the value, one half to the King, the other to the Informer; The offenders, if Freemen or Priviledged persons of Cities or Corporations, shall be distranchised and made incapable, of exercising any Trade, by vertue of the Priviledge of the said City or Corporation; if not, they shall be Imprisoned six Months.

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By Act 6 & 7 W. 3. cap. 18. He that casts Ingots or Barrs of Silver, in imitation of Spanish Barrs or Ingots, forseits the same Silver and 500 l. one Moiety to the King, the other to the Informer.

Also, No person shall Transport Silver, except it be stamped at Gold/miths Hall, upon Oath, that no part was the current Coin of this Kingdom nor Clippings thereof, nor Plate wrought within this Kingdom, and a Certificate thereof from one of the Wardens of the Hall: For want of an Oath and proof, the Wardens may Seize the Silver: And for want of Stamp, Mark and Certificate, the Custom-House Officer may Seize it.

And by the Stat. of 8 & 9 Will. tertif Regis, for incouraging the bringing in wrought Plate to be Coined, and for preventing the Silver Coin from being converted into Vessels or Plate, It is Enacted, That no Goldsmith, Silversmith or other person e

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person whatsoever shall work or make, or cause to be wrought or made any Silver Veffel, Plate or Manufacture of Silver, less in fineness than that of II ounces, and 10 penny weight of fine Silver in every pound Troy, nor put to fale, exchange or fell any Silver Veffels, Plate or Manufacture of Silver made after the 25th day of March 1697, (unless it be Silver wyre or fuch things, as in respect of their smalness, are not capable of receiving a mark,) until such time as such Vessel, Plate or Manufactured Silver shall be marked with the workers mark, to be expressed by the two fust Letters of his Sirname, the mark of the Goldsmiths, which in stead of the Leopards Head and the Lyon, shall for this Plate be the Figure of a Lyons Head erased, and the Figure of a Woman commonly called Britannia; and a diffinct, variable mark to be used by the Warden of the faid Mystery, to denote the year in which fuch Plate is made, upon pain that all fuch Silver Veffels, Plate or other manufactured Silver, which shall be made, exposed to sale, sold or exchanged contrary to this Act, or the value thereof shall be forfeited, the one half to the King, the other to such person as will Seize or Sue for the same; To be recovered by Action, Bill, Suit or Information in any Court of Record.

And if any Silversmith, Goldsmith or other person shall after the faid 25th day of March, make any Silver Vessels, Plate or manufactured Silver contrary to this Act, and the same shall be touched, marked or allowed for good by the Wardens or Masters of faid Mystery, or those authorised or imployed bythem for the effaying and marking of Plate, and if in the same there shall be found any falsehood or deceit, then the Wardens and Corporation for the time being, shall forfeit and pay the value of the Plate so deceitfully marked; one half to the King, the other to the persons that shall buy the same, and be grieved thereby, to be recovered as aforesaid.

And you may also know, That by Stat. 8 H. 5.3. none ought to Gild any Sheaths, or any Metal but Silver, and the Ornaments of the Church, nor Silver any Metal but Knights Spurs, and the Apparel pertaining to a Baron, or above that Estate, in pain to forseit ten times the value of the thing so Gilt, and to suffer a years Imprisonment, a third part of this Forseiture is to him that shall Sue for it, and Justices of Peace may determin the Ossences against

this Act.

#### Hatters

None of which shall make or cause to be Hattern made any Felt or Hat, unless he hath served 7 years as an Apprentice in Felt making; neither shall he retain any other than Journymen, who have lawfully ferved in that Art, and Apprentices lawfully bound to the same; nor have above two Apprentices at once, nor those for less time than seven years, in pain to forfeit 5 l. for every Month he offends contrary to this Statute.

No person shall be retained in this Art Born out of the Kings Dominions, in

pain of 5 l. per Month.

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This Act shall not prohibit Parents lawfully exercifing the faid Art, to 1746. 176 imploy their Sons in their own Houses, So that they be bound Apprentices by Indenture for 7 years, which may not expire, untill they attain the Age of 22 years.

#### Horners.

By Stat. 4 Ed. 4. 8. No Stranger shall buy any English Horn unwrought, gathered or growing in London, or within 24 Miles thereof. The Wardens of Horners in London may search all Ware belonging to their Mystery in London, and

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in 24. Miles thereof, and in Sturbridge and Ely Fairs: But note, This Statute was repealed by I Jac. 25. But it is again part7 Jac. 1.14. ly revived by 7 Jac. 1. 14. Which Enacts, That the Act 4 Ed. 4. 8. and every part thereof, (except power of Search in the Fairs of Sturbridge and Ely, and the Limitations of such prices for Horns, as they were to be had for, at the making of the said Act) shall be revived, and be of like force, as if it had not been repealed by I Jac. 25.

Also, That none shall sell English Horns unwrought to any Stranger, nor send any such Horns beyond Sea, in pain to sorfeit the double value thereof, to be divided betwirt the King and the Prosecutor.

### Hoftlers, Inholders.

Stat.21 Jac.

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The Statute of 32 H. 8. 41. together with other Statutes concerning Horse-bread, is repealed.

inholders and all Hoftlers shall make no Horse-bread, shall sell their Hay, Provender and Victuals at reasonable prices, and

shall take nothing for Litter.

This Act shall not restrain those that live in a Thoroughsare, (which is no Market Town, and wherein there is no Baker) to make Horse-bread according to the just Assize.

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Justices of Oyer and Terminer, Justices of Peace, Sheriffs in Turns, and Stewards in Leets, have power to hear and determin these Offences.

If any Inholder or Hostler which hath power (by this Act) to make Horse-bread observe not the Assize; or if he or any other offend this Law in any other kind whatsoever; for the first Offence they shall be fined, for the second suffer a Months Imprisonment without Bail, for the third be set upon the Pillory, and for the sourth shall be forejudged from ever keeping an Inn again.

Note, That by Stat. 7 & 8 W.3. eap. 19. Silver plate. No person keeping an Inn, Tavern, Ale-in Inns, &c. bouse or Victualling-bouse, shall publickly use or expose to be used any manufactured Plate whatsoever, (except Spoons) under the penalty of forseiting the same, or the sull value thereof, with sull costs of Suit to him that shall Sue for the same, in any. Court of Record at Westminster.

# Leatberfellers, Tanners, &c.

Of Leathersellers something has been said before, (in Cordwainers, Curriers, Tanners, &c.) but there is a late Statute made in the 8th & 9th of this King, which nearly concerns them all, and is to this effect.

That

That from the 20th of April 1697, for three years a Duty or Imposition imposed over and above all formerly, shall be paid to his Majesties use after the rate of 15 l. per Cent. of the real value of all sort of Leather tanned, tawed, dressed or made in England, Wales or Berwick, or imported into the same, to be answered by the Tanners, Makers or Dressers, or by the Im-

porters of the same.

The Importers must pay ready Money before Entry, whether the Leather be in Hides or made up into Boots, Shoes or other Commodities, upon Forfeiture of fuch as shall be Landed (without Warrant) or the value, which may be recovered of the Importer or Proprieter; one third to the King, the other to him that will Seize or Sue, by Action of Debt or of the Case, by Bill Suit or Information: The valuation of imported Leather to be so much as the same are really worth, to be fold for in London without any allowance. That all Tanners, Curriers, Shomakers and other Artificers in Leather, and others, observe the Statute made in the first year of King Fames the first, and all the Clauses, Matters and things therein contained, in relation to the Tanning, Dreffing, Making, Buying, Selling, Trying, Sealing, Registring or other matters concerning Leather, other than fuch as have been altered by any Law, or Statute fince that time made and now in force. That

That home made Leather shall be vahued at fo much, as fuch Leather or kinds of Leather respectively is worth, to be fold for at the next Market, without respect

to the Duty granted.

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Tanners, Tawers, Curriers, Dreffers or Makers of Leather, are from time to time : to give notice of their place and places for Tanning and Tawing, &c. to some of the Officers for the next Market, to the place, upon Forfeiture of 50 1. one third to his Majesty, the other to him that shall Sue for the same as aforesaid. blank one hor

That the Tanner Curriers, Tawers, &c. during the continuance of this Act, thall make use of no places for drying on making fit for Sale, but fuch as they shall have given notice of, and shall permit the Officers to take an Account of fuch Hides, &c. as a shall be taken out of the Woozes, &c. in order to be made fit for Sale, and thall within three days after taking them out make a true Entry with the proper Officer, for which no Fee or reward shall be taken; that his Majesty may be answered the Duties for the same when such Leather shall be fold at any Fair or Market, as in the Act is directed; And shall not remove their Leather from their Work-houses without a Certificate from the Officer, torthree days notice to him, that he may take an account as aforesaid; but shall not be obliged to fend further than the

H.S.

next a

next Market to give fuch notice.

If the Owners of the Work-houses, &c. refuse the Officers entrance, they shall for every refusal forfeit 5 1. one third to his Majesty, the other to him that will Sue for the same, to be recovered as afore-faid.

That no Tanner, &c. shall not depart with any of his Leather, for which the duty ought to be paid, other than in some open Fair or Market, and that the same with the price contracted for, shall be registred with the Officer appointed to collect the Duties, and the Duties to be thereupon paid to the Collector in ready Money, and the Tanner to have a Copy of the Entry, and an Acquitance for the Moneys received out disharge his account, will on our especial of an account, will on the most especial of the Moneys received out officiarge his

days notice to him, that he risp take add account as aforefaid; but shall not be obliged to lend further than the

The Officer may, in case of Dispute, take the Leather at the value entred, paying the Owner ready Money, and 2 s. surther allowance for every 20 s. and so proportionably.

The Buyer of Leather in a Fair or Market, shall not carry it away before the

Duties be fatisfied to the Collector.

He that offends in the Premisses forfeits 40 s, one Third to the King, and the other to him that will inform or sue for the same, to be recovered, as aforesaid: And the Leather shall be forfeited, and may be seized by the

Officers for His Majesties use.

Two Justices of Peace of the County, &c. upon Information by the Officer, or Complaint by the Owner before them, concerning the seizing of Leather, for any Offence, may determine the Matter, and examine Witnesses upon Oath; and the party unsatisfied, may appeal to the next General Quarter-Sessions smally to determine the same

Every Tanner, &c. (if demanded) shall once in every three Months account with the proper Officer, and discharge the Account at the same time, under penalty of 20 s. one Third to the King, the other to him that will Sue for the same; and the Officer upon taking Accounts, is to inform himself of Frauds, &c. that the Offender may be proceeded against

Raw-Hides imported, said to be Negro dress, shall pay Duty when they shall be made into Leather.

Coller-makers, Glovers, Bridle-Cutters, and others, who taw or make Leather in Oyl, Alom or Salt, and who cut and make the Leather they so make into Wares, shall be accounted Tawers or Makers of Leather within this Act; and such of them as make their Leather into Wares, without felling the same in Skins, shall not be obliged to carry the Leather they so make into Wares, to any Fair or Market, or to Sell or Register the same there; but shall (so soon as fuch Leather is made) enter the the same with the Officer of the Place or Division,&c. before the fame shall be made into Wares; and declare unto him upon Oath, the true value of the Leather to be made into Wares, and shall thereupon pay unto him the Duties, and take his Acquittance; and if he Cut the Leather before Entry and Duty paid, or fell it before it is made into Wares, he shall forfeit for every Offence & L to be recovered and diffributed as aforefaid

Such Persons as on the 201b of April, 1679. had Stock of Leather, not made into Wares, were to pay 12 l. 101. per Cent. to be paid within three Months; and to deliver a particular of their Stock to the proper Officer, and suffer the Officers to Earch and view their Stock, upon Forsei-

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ture of 20 l. one Third to the King, the other to him that will Sue for the same.

If the Duties be not paid, or secured, within three Months, then to be levied by distress and sale, and Charges, rendring Overplus; if paid within three Months, then an allowance of Io 1. per Cent. per Annum.

In case of Controversie, the Goods to be valued by Oath of the Owners, and the Officer may take them at the value, paying the Owner ready Money.

Such as should neglect to give a Particular, or leaving any thing out, or conceal any Stock, should forfeit 20 l. as aforesaid, and the Stock not valued or concealed, to be forfeited and seised to his Majesties use.

A Draw back of two Thirds of the Duties by such as export Leather in Hides, Backs or Buts, &c. and of 5 l. per Cent. for Boots, Shoes and other made Wares exported, according to their value, by the Oath of the Exporter; but if any of these be Re-landed again within England, Wales, and Berwick, the same, and the trebse value thereof to be forseited; one Moiety to the King, the other to him that will seize, inform or sue for the same, to be secovered as above.

Majons.

Mafons.

By Stat. 2H.6.1. It shall be Felony to plot Confederacies amongst Masons, and such as assemble upon such Confederacies, shall suffer Imprisonment and make Fine and Ransom at the King's Will.

Mauls sters, Brewers, Destillers, Inn keepers, ...

be valued by Oath of the Owners

\$ E.6.10.

First, It is to be observed, That special Care ought to be taken in the Making of Mault, and due time observed, especially in June, July and August: For no Maulster ought to employ less time than three Weeks in making, and drying, except in those Months, and then 17 Days will serve; and this is under the penalty of 2 s, for every Quarter of Mault, otherwise ordered and put to Sale.

1 E.6.10.

Such as mingle good Mault with bad, to fell, shall forfeit to the King and Informer, for every Quarter to put to fale, two

2 E.6.10.

Shillings, mid of red of the line of Sale any Mault, not being well trodden, first rubbed and fann'd, shall forfeit for every Quarter 20 d.

Majors.

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But these Offences must be Sued or Pre- 2 E.6.10. Sented within One year after the Offence. Neither shall he be punished, who only maketh Mault for his own provision.

Again, The Justices of Peace in Sessions 39 Eliz.16: have power, at their discretions, to restrain their superstuous number of Maulsters, and also of the Buyers of Barley, to be con-

verted into Mault.

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And whosoever shall be lawfully discharged and suppressed touching his Making of Mault, and will not accordingly forbear, shall be three days imprisoned; and before his enlargment become bound in 40 h to obey such suppressing.

By an Act made Anno 8 & 9 Willielmi Mault.

tertij Regis, There shall be paid to the
King, his Heirs and Successors, for every
Bushel of Mault, which after the 2016
of April, 1697, and before the 2016 of
July, 1699, shall be made of Barley, or
any other Corn or Grain, within England,
Waler and Berwick upon Tweed, by any
person, (whether the same be, or be not for
Sale) 6 d. and so proportionably for a
greater or lesser quantity, to be paid by the
Maker thereof respectively.

For every Barrel of Mum, which thall Mum.?
the made or fold within the faid time, within the faid places, 10 s. (over and above, &c.)
to be paid by the Maker or Seller thereof

respectively.

For

# A- Wiew of the Penal Laws

Debte

For every Barrel of mixt Liquors, called Sweets, made from Foreign or English Materials, whether the same are to be drunk in kind, or mixt with any other Liquors, 10 s. (over and above, &c.) to be paid by the Maker.

Oyder and Perry.

For all Cyder and Perry, 4.s. per Hogshead over and above, &c. to be paid by the first Buyer or Retailer. And every person who shall buy any Cyder or Perry, or any Fruit to make into Cyder or Perry; and shall sell any of the Cyder or Perry so bought or made by the Hogshead, or any greater or lesser Measure, shall be deemed a Retailer of Cyder or Perry, and shall be chargable with the Duties for such Cyder, and Perry so sold, or bought for sale.

Gaugers.

That Gaugers may enter the Houses or Mault-Houses, &c. of any person what-soever, who shall make any Mault either for sale, or not for sale, to gauge all Cifterns, &c. and to take an account of the Grain found Steeping, or to have been steeped in them, for the making of Mault, and make a Return thereof to the Commissioners, and leave a true Copy with the Maker, which shall be a Charge upon him; and if any such Maker shall hinder the Gauger or Officer so to do, he shall forfeit for every Offence 51.

That during the continuance of this Act, Maulti every Person making Mault for sale, or not for fale, shall every Month make a true Entry at the Office of Excise (within the limits of which they shall then respectively inhabit) of all the Mault by him made in fuch Month respectively, in pain to forfeit for every such Neglect the Sum of Ten

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That every such Maker of Mault, shall within three Months after he shall make, or ought to have made such Entry, clear off all the faid Duties respectively due; and if he thall neglect, he shall forfeit for every Offence double the Sum of the Duty neglected. And that after such default made, he shall not sell, deliver, or carry out any Mault until he hath cleared off his Duty, on forfeiture of double the value of fuch Mault fo delivered or carried out.

The Bushel meant by this Act, is to be Bushel. according to the Standard of the Winchester Bushel; that is to say, Every round Bushel, with a plain and even Bottom, being made 18 Inches and a half wide throughout, and 8 Inches deep, shall be esteemed a Legal

Winchester Bushel.

That during the continuance of this Act, vettels. no such Maker of Mault shall erect, set up, alter or enlarge, or make use of any Ciftern, Uting-Fat, Utenfil or other Veffel, for the making of Mault, without first giving Notice to the next Office of Excise,

Smeets.

or shall keep or make use of any private Cistern,&c. other than such as are openly known and made use of in his Common Mault-house, on forseiture of 50 l. for

every such Cistern,&c.

That during the Continuance of this Act, No maker of Sweets shall erect any Vessel for the making thereof, without sirst giving Notice to the next Office of Excise, upon pain to forseit for every such

Vessel 50 %.

That the Fines, Penalties and Forfeitures by this Act shall be recovered, as any Forfeiture by any Law of Excise, or by Action of Debt, Bill, Plaint or Information in any of His Majesties Courts of Record at Westminster; one Moiety to the King, the other to him that shall discover, information Sue for the same.

That the Commissioners, or their Supervisor, may compound with such as make. Mault, but not for sale, at the rate of 5 c. per Head per Annum, for every Head in the Family taking Security for the Quarterly payment thereof; and that thereupon they shall not be liable to the Gaugers

Search.

But if any such person, after such Composition, shall sell, exchange, barter or deliver out any Mault to any other person or persons, or shall sell any Beer, Ale or other Liquors made of Mault, he shall forseit 501. to be recovered as aforesaid, and shall

shall lose the benefit of his Composition, and be liable to the Duty of 6 d. a Bushel upon Mault, and to the Survey and Search of the Officers.

And because the Gauger is to Retorn Allowance, the Bushels when wetting or steeping, &c. therefore an allowance is to the Maker, of four Bushels in every twenty Bushels so

charged, and so proportionably.

Also Licence for such as shall have actually paid His Majesties Duties, or secured the same to be paid; and such as buy of them, to export such Mault for any Foreign parts (Scotland excepted) giving Security before Shipping, not to Re-land it in England, Wales, or Berwick upon Tweed, upon Certificate from the Collector, upon Oath to him made of fuch Payment or Security given; and upon Oath before the Collector of the Port, that the Mault is the same, he shall give a Debenture to the Collector in the County, to pay the 6 d. per Bushel to the Exporter or his Agent; but if afterwards the Mault be Re-landed, as aforesaid, (over and above the penalty of the Bond, which shall be levied and recovered to His Majesties use ) all the Mault so Landed again, or the value thereof, shall be forfeited; one Moiety to the King, the other to the person that will seize, inform, or sue for the same, to be recovered as any other Penalties in this Act are recoverable.

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If any Mault was contracted for, but not delivered to the Buyer before the 20th of April, 1697. the Buyer is obliged to pay the Seller 6 d. per Bushel upon delivery, otherwise the Bargain is made void.

Rent.

Where Mault is reserved for Rent, or Money, according to the price of Mault, the Tenant may deduct the Account of 2 s. per Quarter, and so proportional.

bly.

No Mauls, during the continuance of this Act, to be imported into England, Wales or Berwick, from any Foreign parts, upon Forfeiture thereof, or the full value; one Moiety to the King, the other to such as shall seize, inform or sue for the same, by Action of Debt, &c.

#### Merchants and Marinersi

By Stat. 38 E. 3.8. No Owner of a Ship shall forfeit the same for any small thing put thereinto (without his knowledge) not Customed for.

By Stat. 3. R. 2. 3. None of the Kings Subjects shall export or import any Merchandize, but only in Ships of the Kings Allegiance, in pain to forfeit all Merchandize otherwise conveyed, or the value thereof, whereof the Finder shall have the Third part of the Kings gift. 点の世

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#### concerning Tradelmen.

By Stat. 6 R. 2. c. 8. The Statute of R.2.3. Shall only have place, where able and sufficient Ships of the Kings Allegiance may be found; otherwise the Merchant may hire other Ships, the said Statute not-vithstanding.

By Stat. 14 R. 2, 6. English Merchants shall fraight (within the Realm) in English Ships, and not in Ships of Strangers, so as the Owners of such Ships take reasonable

for their Fraights.

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By Stat.4 H.4.20. All Merchandize imported and exported, shall be charged and discharged in great Sea-Ports, and not in Creeks and small Arrivals, in pain to forfeit to the King all Merchandize otherwise charged or discharged, except any Vessel shall be driven into such a small Creek by Tempest.

By Stat. 15 H.6.8. None shall ship any Wool, Wool, Wool-fels, or other Merchandize pertaining to the Staple, but only at the Keys and Ports assigned by Statute, where the Kings Weights and Wools are set. Vide

postea tit. Woolmongers.

Every Master of a Vessel wherein such Merchandize is shipped, shall give good Security to the Customer there to transport the same to the Staple at Calais, and to bring a Certificate thereof from thence; saving to all Merchants of Jeans, Venice, Tuscany, Lombardy, Florence and Catalonia, and to the Burgesses of Berwick.

wick, their Liberty formerly granted by Statute.

By Stat. 4 H. 7. 10. No Gascoign or Guien Wine, or Tholouse Woad, shall be imported into this Realm, but in English Vessels, in pain to forseit the same. But see after.

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Also, none shall Fraight in any Strangers Ships any Merchandize to be imported or exported into or out of this Realm, if he may have sufficient Fraight in the same Port in a Denizens Ship, in pain to sorfeit all Merchandize otherwise shipped, to be divided betwixt the King and the Scizor.

This Act shall not extend to any Ships (having Merchandize) forced by Tempest into any Port within this Realm; so as the Owner thereof make no Sale of such Merchandize within this Realm, save only for necessary Victual or Repairing of the Ship and Tackle.

By Stat. 32 H.8.14. Gascoign, or Guien Wines or Tholouse Woad, may be imported into this Realm in any other Ships as well as English, notwithstanding the Statute of

4 H.7.10.

But by Stat. 1 El. 13. The Statuts of the 5 R.2.3. and 4 H.7. 10. are made void.

And if any Owner of Merchandize shall (in time of Peace) embark or unload any part thereof, (Mastraff, Pitch, Tar and Corn only excepted) out of or into any other

other than an English Bottom, he shall pay Custom to the Queen for the same, as an Alien.

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No English-man shall cross the Sea with any Heys or Plats, in pain to forseit the same, to be divided betwixt the King and the Prosecutor. But see after.

Provided that Merchants at their several Wools shippings of Cloth or Wool out of the Thames (to be twice in the year at the most) may embark Merchandize in a Strangers Ship, so long as there are not English Ships enough, and convenient to convey such Merchandize into Flanders, Holland, Zealand or Brahant, without paying any greater Customs than English-men use to do: Also Bristol-men shall do the like, by reason of great Losses lately suffered by them.

By Stat. 5 El. 5. Any Subject may export out of this Realm Sea fish & c. without paying Customs for the same: But this part was expired by the Queens death.

None shall set Price, make restraint, or sea fish demand Toll of any Sea fish imported into this Realm by any of the Queens Subjects, in pain to forseit the value of such Fish so

fet price of, restrained or tolled.

This Act shall not restrain the Inhabitants of Hull, or take Toll and Custom (according as it is limited by the Statute of 33 H.8.33.) howbest they shall not take liberty thereby to transport Herring or Salt-fish.

# A Wiew of the Penal Laws

No Purveyor shall take any Sea-fish of any, that shall take the same in any Subjects Ship, in pain to forfeit double value thereof; Howbeit Composition-fish (of People Travelling into Ireland) due to the Queen and other Persons, shall be paid as formerly.

Herring.

No Herring shall be bought of a Stranger, or out of his Bottom, being not sufficiently salted, pickled and casked, in pain to sorfeit the same, or the value thereof, except such Vessel be driven in by Shipwreck.

No Fish, Victual, Wares or thing shall be Transported in a Strangers Bottom, from one Port to another within this Realm, in pain to forseit the same, or the value thereof.

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Hoys and Plats may cross the Seas as far as Cane in Normandy, or Eastward as far as Norway, notwithstanding the Statute of 1 Eliz. 13 But this is Repealed by 13 Eliz. 6 15. and the I Eliz. 6 13. is Revived.

Cod and Ling.

All Cod and Ling shall be brought into this Realm loose, and not in Barrel, in pain to forseit the same, or the value thereof.

Wine.

No Wine of the growth of France, or any Woad of Tholonse, shall be imported into this Realm in any other Vessel than English, in pain to forseit the same, according to the Statute of 4. H. 7. 10. only in Wales,

Wales, Rochel-Wines may be otherwise

imported.

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Owners of Ships, and all other using the Apprendices of the Sea fishing, or otherwise, and tites. every Gunner or Shipwright, may take Apprendices to be bound for Ten years, or under, to be Enrolled in the same Corporation, if the Master dwell in one; but if not, in the next.

So much of the Statute of the 5 & 6 Ed. 6. 14. (which see in Fore-Stallers) and of all other Statutes as concerns the buying of Sea fish unsalt ed, or Mud-fish, or Wine or Salt, to be brought in an English Vessel to any port within this Realm, shall be void.

By Stat. 13 El. 11. So much of the Statute of 5 El. 5. as concerns the transporting of Herring and Sea-fish, by the Subjects born, and not for paying of Custom for the same shall be revived, so as it be in Vessels with Cross-Sails.

No Vessel called a Catch-Monger or Fish.

Picard, shall upon the Coasts of Norfolk
and Suffolk, between the 14th of September and the 14th of November, from Sunsetting to Sun-rising, Anchor upon the Main Sea, or in the Trade of Fishing, in pain to forseit their Vessel, or the value thereof, to be divided betwixt the Queen and the Corporation of Great Tarmouth, to be employed towards the Damages of the party grieved, and the Repairing of the

Haven there, and to be recovered by Seizure,

or otherwise by Bill, Action,&c.

No Foreign Fish shall be dried in England to be sold, in pain to forseit the same, or the value thereof to the Seizor and Prosecutor.

None shall offer to sell any unwholsom Fish, (being warned thereof by the Officer) in pain to forfeit the same; and being an Alien, he shall forthwith export it upon

the like pain.

Eishmongers .

By Stat. 43 El. 9. No Ordinance made by the Fishmongers in London, or any other Corporation, restraining any Coast-man, Fisher-man, or other from taking, bringing in putting to sale, or buying of Salt-fish or Herrings (being wholsom) shall be put in Execution, in painos 100 l.

Gods from

By Stat. 12 Car. 2. cap. 18. No Goods shall be imported into, or exported out of any Territories belonging, or which may belong to the King in Asia, Africa or America, in other Vessels than such as belong only to the People of England or Ireland, Wales or Town of Berwick, or of any the faid Territories, and whereof the Master and three Fourths of the Mariners are English, on pain to lose such Goods and Veffel, with all its Furniture; one Third whereof to the King, the other Third to the Governour of such Territory where such default shall be, if feized there, otherwise that Third also to the

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the King, the other Third to him that will feize or fue for the same.

Commanders at Sea, having Commissions from the King, are to bring in as Prize, Vessels offending contrary hereunto; and in case of Condemnation, one Moiety shall be to the use of such Commanders and their Companies, to be divided according to the Rules of the Sea in case of Prize, the other Moiety to the King. But see after.

No Alien shall be a Merchant or Factor Alien. in any the said Places, on pain to lose all his Goods, or which are in his possession; one Third to the King, another Third to the Governour of the Plantation, and the other Third to any that will Sue in any of the Kings Courts there: All that shall be made Governours of such Plantations, shall, before their Entrance into their Government, shall take an Oath to do their utmost, that the Clauses afore-mentioned be duly observed: And upon Complaint to the King, or such as he shall thereto appoint, that fuch Governours have been wittingly negligent therein, the Governours so offending shall be removed.

No Goods of the Growth and Manufacture of Africa, Afia and America, shall be imported into England, Ireland or Wales, Isles of Guernsey or Fersey, or Town of Berwick, in other Vessels than (as above) with Masters and Mariners (as above) on

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pain to forfeit all such Vessels and Goods; one Moiety whereof to the King, the other to him that will seize or sue for the same.

No Goods of Foreign growth or Manufacture, brought into England, Ireland, Wales, Guernsey, Fersey, or Town of Berwick, in English or other Shipping, belonging to some of the aforesaid Places, and Navigated, as aforesaid, shall be brought from other Places than those of the said Growth or Manusacture, or from those Ports where they can only or usually have been shipp'd for Transportation, on pain to sorfeit such Goods and the Vessel; one Moiety whereof to the King, the other Moiety to him that will seize or sue for the same.

None shall Load in any Bottom, whereof Strangers are Owners, Part-Owners of
Masters, and whereof three Fourths of the
Mariners at least are not English, any
Goods whatsoever, from one Port or Creek
of England, Ireland, Wales, Guernsey,
fersey, or Town of Berwick, to another
Port or Creek of the same, on pain to forseit such Goods and Vessel; one Moiety to
the King, the other to him that will seize
or such same.

No Goods of the Growth or Manufafacture of any Countries belonging to the Duke of Moscowy; No Mast-Timber or Boards; no Foreign Salt, Pich, Tar, Rozin, Hemp, Flax, Raisons, Figs, Pruins, Olive Oils; ods ;

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no Corn, Grain, Sugar, Pot-Ashes, Wines, Vinegar, Aquavitæ or Brandy-Wine, shall be imported into England, Ireland, Wales, or Town of Berwick, in any Vessel not belonging to the People of some of them, and Navigated as aforesaid: No Goods of the Growth or Manufacture of the Turkish Empire, shall be imported into the places aforesaid, in any Vessel not of English built and Navigated, as aforesaid, except Vessels of the built of that place of which the Goods are, or of fuch Port where they can only be, or usually are shipped, and whereof the Master and three Fourths of the Mariners are of the faid Country, on pain to forfeit Ship and Goods, to be disposed as aforesaid.

No Sugars, Tobacco, Cotton, Wool, Indicoes, Ginger, Fustick, or other Dying Wood of the growth of any English Plantations in America, Asia or Africa, shall be Transported to any place, other than to some English Plantation, or to England, Ireland, Wales, or Town of Berwick, on pain to forfeit them or the value, and Ship with her Furniture; one Moiety to the King, the other to him that will seize or sue for the same.

For every Vessel which shall set out from England, Ireland, Wales or Town of Berwick, for any of the said Plantations, Bond shall be given, with one Surety, to Bond. the Chief Officers of the Custom-House

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of the place from whence it Sails, of 1000 ! if the Ship be less than of the Burthen of 100 Tuns, and of 2000 l. if of greater Burthen; That if the said Vessel load any of the faid Commodities at fuch Plantations, it shall bring them to some Port of England, Ireland (&c.) and for all Ships coming from any other Port to those Plantations, the Governours, before the Ship be permitted to unload, shall take Bond as aforesaid, That it shall carry them to some other English Plantations, or to England, Ireland (&c.) and every Ship taking on Board any of the aforefaid Goods before such Bond given, or Certificate produced from some Custom-honse in England, &c. of fuch Bonds there given, shall be forfeited, to be employed and recovered (as above); and the faidGovernours shall twice in every Year return true Copies of fuch Bond's to the Chief Officers of the Custom in London, Confirmed 13 Car. 2.cap. 14. See after.

But by Stat. 13 & 14 Car. 2. eap. 11. whereas it is required by the Statute of 12 Car. 2. cap. 18. That in fundry cases the Master and the three Fourths of the Mariners are to be English, any of the Kings Subjects of England, Ireland; and his Plantations are to be accounted English, and no others; and the number of Mariners accounted, according to what they shall have been

during the whole Voyage.

Mariners, and other Inferiour Officers, refuling

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refuling to Fight when Commanded, or Mariners. uttering Words to discourage others, shall lose all their Wages due, and such Goods as they have in the Ship, and be Imprifoned, not exceeding fix Months, and during such time be kept to hard Labour for their Maintenance.

But Masters of Ships that have been Yielded contrary to their Will, by the Difobedience of the Mariners, testified by laying violent hands on them, shall not become incapable, as aforesaid, nor liable to any Action for the Merchants losses, unless they have received back from the Takers some Recompence.

Marinerslaying violent Hands upon their Death. Commanders, to hinder them from Fighting, in defence of their Ships, shall suffer death, as Felons.

Captains, Masters, Mariners, &c willfully destroying the Ship to which they belong, or procuring the same to be done, shall futter as Felons.

Stat. 22 & 23 Car. cap. 26. The word Ireland shall be left out of all Bonds taken in persuance of the Statute of 12 Car. 2. 18.

Every Vessel that shall take on Board any of the Commodities there mentioned, at any of the said English Plantations, until such Bond given or Certificate produ- Bond &c. ced from the Officers of some Customhouse in England, Wales, or Town of Berwick, that fuch Bond hath been there

given, or which shall carry the said Goods to any place contrary to the Tenor of such Bond, shall be forfeited with all her Guns, Ammunition, Furniture and Lading, one Moiety to the King, the other Moiety to him that will Seize or Sue for the same, in any of the said Plantations in the Court of the High Admiral of England or Vice Admiral, or any Court of Record in England.

America.

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The Governor of his Majesties Plantations in America, shall once a year at least Return to the Officers of the Customhouse in the Port of London, or such as the King shall appoint to receive the same; a Lift of fuch Veffels as shall Lade any of the Commodities in fuch Plantations, and of fuch Bonds taken; and if any Ship belonging to any of the faid Plantations, having on Board any Sugars, Tobacco, Cotton, Wooll, Indigoes, Ginger, Fustick or Dying wood, shall unlade it in any other place of Europe, than England, Wales or Town of Berwick; such Vessel shall be forfeited with her Ammunition, Furniture and Lading, to be recovered and divided as aforesaid.

Any person may prosecute such Ships in any Court of Admiralty in England.

This Act shall! continue for nine years, and to the end of the Sessions of Parliament then next ensuing. Continued by 2 fac. 2. cap. 17. for seven years, and to the end

of

of the first Sessions of the next Parliament.
Continued by 46.5 W. 6. M. cap. 24.
for seven years from February 1692.

By Stat. 27 Ed. 3. 2. 3. All Merchants Staple, may buy Merchandize of the Staple, so as

they bring them to the Staple.

It shall be Felony for an English, Welsh Wool. See or Irish-man to Transport Wool, Leather,

Woolfels or Lead.

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Also, No English, Welsh, Irish-man, shall Transport Wool, Leather, Woolfels or Lead in a Strangers name, or keep a Servant beyond Sea to survey the Sale thereof, or to receive Money for the same.

There shall be no exchange of Wares for Merchandize of the Staple, but payment in Gold, Silver or English, Welsh or Irish Merchandize; neither shall any Merchants make any Consederacy, in fraud or deceit of this Ordinance; and all this upon the pains aforesaid.

But every Man may carry his own Wool, Leather, Woolfels and Lead to the Staple to Sell them there; howbeit he shall then

warrant the packing of his Wools.

Also by the Statute of 27 Ed. 3. 2. 11. All Merchants may freely Sell their Marchandize at the Staple by Gross or by Retail without Challenge or Impeachment, but it shall be Felony to Forestal, Buy or give Earnest for any Merchandize before they come to the Staple or Port, or to Enter the Ship for that purpose.

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By Stat. 32 Ed. 3. 2. Any Merchant may use more Merchandize than one, not-withstanding the Statute of 37 Ed. 5. and may Buy, Sell and Transport all kind of Merchandize, paying the Customs and Susidies due for the same, Wool and Woolsels only excepted.

Merchants, Strangers.

By Stat. 2. R. 2. 1. Merchant Strangers (not Enemies) may Buy and Sell all things vendible within the Realm in Gross or by Retail, except Wines and great Wares, as Cloth of Gold and Silver, Silk, Sandal, Napery-cloth, Canvas and the like; which are to be fold in Gross by whole Pieces, in pain of Forfeiture thereof.

But Merchants may Buy and Sell in Fairs and Markets in Gross or by Retait,

notwithstanding this Statute.

Disturbers of Merchants against this Act (being thereof attainted) shall render double Damage, suffer a years Imprisonment, and be ransomed at the Kings will.

The 5 R. z. Stat. z. r. Provides for the friendly entertainments of Merchant Strangers, and so does the 14 R. 2. 9.

By FI R. 2. 7. the Stat. 9 Ed. 3.1.6

25 Ed. 3. Stat. 4. 2. are confirmed.

By 16 R. z. r. No Merchant Stranger shall Buy or Sell within the Realm, with another Merchant Stranger to Sell again, nor Sell any Merchandize by Retail, but Victuals; only Wine he shall Sell by whole Vessels.

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By Stat. 2 R.2.4. the Stat. of 28 E.3.1 is confirmed.

By 4 H.4. 15. Merchants shall not ex- Money, port the Money, which they receive for Merchandize imported; but shall bestow it upon Merchandize of this Realm, their reasonable Costs excepted.

By Stat. 5 H. 4.7. Merchant Strangers shall be used in this Realm as Merchants Denizens be in other Countries, in pain that such Merchants Strangers shall forseit their Goods and suffer Imprisonment:

Stat. § H. 4. 9: Merchants Strangers shall give Security to the Kings Customers and Controllers, to employ their Money upon the Commodities of this Realm, their reasonable Costs excepted:

The Statute of 4 H.4. 15. is confirmed:
Merchants Strangers shall Sell their
Commodities within a Quarter of a year
next after their arrival, and imploy their
Money received by exchange upon Commodities of this Realm, in pain to forseit
the same Money. But see after.

No Merchant Stranger shall Sell any Merchandize to another Merchant Stranger in pain to forfeit the same.

Stat. 6-H.4.4. The Clause of the Statute of the 5 H. 4.9. enjoyning Merchant Strangers to Sell their Commodities within a Quarter of a year next after their Arrival is Repealed, saving the Liberties of London.

Merchant

Merchants Strangers shall not export any Merchandize imported by Merchants Strangers. Stat. 7 H. 4. 9. all Merchant dize may be fold in Gross in London, as well to all the Kings People as to the Citizens of London, notwithstanding any Franchise or Liberty to the contrary.

By 4H.5.5. the Stat. 5 H. 4 & 7. & 5 H. 4 & 9. concerning Merchants Stran-

gers are confirmed.

By Stat. 8 H. 6. 24. No Merchant Alien shall constrain any of the Kings Subjects to pay him his Debt in Gold, nor refuse to receive payment thereof in Silver, in pain to forseit double value thereof.

And no Englishman shall Sell his Goods to a Merchant Alien, but for present payment in Money, or for other Merchandize to be presently delivered, in pain to for-

feir the fame.

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Stat. 1.7 E. 4.1. Every Merchant Alienter other Stranger, shall imploy the Money by them received here, upon the Marchandize of this Realm, or else (without fraud) put the same Money in due payment within this Realm to be proved by the Merchant, unto whom it is so imployed, or otherwise before the Customer, Controller, Head Officer or Officers of the place where it is so imployed, in pain to sorfeit all his Goods sound within this Realm, and to suffer a years imprisonment; only his reasonable Costs are to be deducted;

Gold, &c.

Money.

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# concerning Tradelmen.

the Forfeiture to be divided betwixt the

King and the Profecutor.

Stat. I R. 3. 9. Italian Merchants shall Sell their Merchandize at the Port where they land in Gross, and not by Retail, in

pain to forfeit the value thereof.

They shall also sell their Commodities brought thither within eight Months after their Arrival, and shall within that time employ the Money received for the same Money. upon English Commodities (their reasonable Expences deducted) and not make over that Money by Exchange; and if within that time they cannot make off their Wares, they shall within the two Months after the eight Months (or as soon, as they can) convey them out of the Realm, in pain to forseit the Money so made over by Exchange, and the Merchandize sold after the eight Months, and not conveyed away, as asoresaid, or the value thereof.

They may Transport their Merchandize from one Port to another, so as they

fell them within the faid eight Months.

No Merchant Stranger shall be Host to another Merchant Stranger, unless they be

of the same Nation, in pain of 40 s.

No such Italian Merchant shall buy and Wool fell any Wool or Woolen-Cloth within this Realm; neither shall they make any Woolen-Cloth, or deliver Wool to that purpose, in pain to sorfeit the value thereof.

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Small Wares.

By Stat. 1 R. 3. cap. 12. No Merchant Stranger shall import into this Realm, to be fold, any Girdles, Harness wrought for Girdles, Points, Leather-Laces, Purses, Pouches, Pins, Gloves, Knives, Hangers, Taylors-Sheers , Sciffors, Andirons , Cupboards, Plates, Tongs, Fire-forks, Gridirons, Stock-Locks, Keys, Hinges and Garnets, Spurs, Painted Glaffes, Painted Paper, Painted Forces, Painted Images, Painted Cloth, Beaten Gold or Silver wrought in Papers for Painters, Saddles, Saddle Trees, Horfe, Harness, Boots, Bits, Stirrups, Bucklers, Chains, Latten-Nails with Iron-Shanks, Turnets, Hanging Candlefticks, Holy-water Pots, Chafing Difhes, Hanging-Lavers , Curtain-Rings , Cards for Wool, Roan Cards (except Class for Garments) Sheers, Buckles for Shoes, Spits, Bells, Hawk Bells, Tin and Leaden Spoons, Wire of Latten and Iron, Iron-Candlestick's. Grates, Horns for Lanthorns, or any of the faid Wares ready made and wrought, in pain to forfeit the same, or the value thereof, to be divided betwixt the King and the Profecutor.

By Stat. 3 H. 7. 8. The Statute of 17 E. 4. 1. is confirmed and made perpetual.

Merchants of Ireland, Jersey and Guernsey, as are made liable to the same Law upon the like pains.

Customers

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Customers and Controllers shall take Security of Merchant Strangers, to observe the same Law.

By 12 H.7.6. Every English-man, being the Kings true Liege-man, may freely Trade at the Marts in Flanders, Holland, Zealand, Brabant, and others of the Arch-Dake of Burgoins Country, without any Exaction, Fines or other Contribution Fines. whatfoever, to be levied of him by the Fellowships of Merchants in London, or by any other for their use, or by any other fuch Fraternity, Ten Marks only excepted; and none shall in such case take or levy upon any person any such Exaction more than the faid Ten Marks, in pain to forfeit 20 1. to the King, and Ten times fo much as they shall take more than the Ten Marks aforesaid, to be recovered by Action of Debt, &c.

By Stat. 1 Eliz. 11. None shall lade Lading or unlade, into or out of any Ship or other Vessel, any Goods, Wares or Merchandize whatsoever, (Fish taken by English men only excepted) and unless it be upon a Leak or Wreck, to be imported or exported, but only in the day-time; viz. In day time from the first of March until the last of September, betwixt Sun-rising and Sun-set; and from the last of September to the first of March, between the Hours of Seven and Four, and that in such places as the Queen should (by Commission) before the

first of September then next assign for that purpole, in pain to forfeit the Goods. Wares or Merchandize otherwise laden or unladen, or the value thereof.

The Places so to be assigned shall be at London, Southampton, Bristol, Westchester, Newcastle, and in all other places, (Hull only excepted) where there is a Gustomer, Controller and Searcher.

The Owner, Master, or other, having a Charge of any Ship or other Veffel. which doth offend against this Law, shall :

forfeit 5 1.

The Master or other, having Charge of the Veffel, shall acquaint the Customer or other Officer with the times of his Lading Departure. and Departure, as also what persons are to have Lading with him; and shall answer fuch Questions concerning his Lading, as hall be demanded of him by fuch Officer upon Oath or otherwife; and all this in pain of 100 h the like shall be observed when he imports any Merchandize, vice ver(a, and upon like pain.

None shall enter any Goods in the Cu-Romers-Books, but in the right Owners. name, in pain to forfeit the value there-

of.

Officer of Chitoms.

If any Officer of the Custom-House conceal any Offence committed against this. Act, and disclose it not within a Month. unto the Chief Officer there, or unto the Lord Treasurer, Chancellor, Under-Treafurer,

furer, or one of the Barons of the Exchequer, or unto the Attorney General, he shall forfeit 100 l.

Customers, Controllers and Searchers, have power to make Deputies in Ports, Creeks and Roads; and both they and their Deputies, shall duly and faithfully execute their Offices, in pain of 100 l. or to lose their Places.

Such Custom shall be paid for Sweet Wines, as hath formerly been paid for

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This Act shall not infringe the Liberties granted to the Isle of Angleser, and the Counties of Flint and Carnarvan, so as they pay the due Customs and Subsidies, and lade and discharge within the times and hours above-mentioned.

By Stat. 13 & 14 Car. 2. cap. 13. None shall sell, or offer to sale, export or import Foreign Bone-lace, Cut-work, Imbroidery, Fringe, Bandstrings, Buttons or Needlework of Thred or Silk, in pain to forseit for Selling, or offering to Sale, as aforesaid, 50 l. and the Goods themselves, and for importing 100 land the Goods imported; the one Moiety to the King, the other to him that will Sue in any Court of Record, &c.

Justices of Peace, upon Information given, may iffue Warrants to Constables, to search for such Manutactures in Shops, being open Ware-houses and Dwelling-houses,

and to seize them.

#### A Biew of the Penal Laws

Informations and Suits upon this Law, must be commenced within Twelve Months after discovery.

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Wool cards.

By Stat. 13 & 14 Car. 2. cap. 19. No Foreign Wool-Cards, Eard-wire or Iron-wire for Wool-Cards shall be imported; nor Card-wire taken out of Old Cards and put into New Leather and New Card-boards, nor Wool-Cards made thereof, be put to sale, on pain to forfeit all the said Wares, or the value if not seized; one half to the King, the other to him that will Sue in any Court of Record at West minster, or within the County, City or Town Corporate, where the Offence shall be committed.

Owners of Wool-Cards may amend them for their own use, or transport or sell (for Transportation only) Old over-worn Wool-Cards.

French Goods. By Stat. 1 W. & M. Seff. 1. cap. 24. continued by several other Statutes, during the time of the War) for prohibiting all Trade and Commerce with France; It is declared, That importation of Goods and Commodities of the production of France, or made or mixed with any such, is a Common Nusance, and that the Goods so imported may be seized by any person and carried into Their Majesties Ware-house of the Port or Place where they are seized, or to the Ware-house of the next Port, &c. to the place of Seizure, till the person claiming

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claiming the same tender good Security, to answer the Penalties of this Act, &c. and for want of Security, to be destroyed within Seven days after as forfeited Goods; and if after Security given the Goods be French, or mixt, &c. the Liquid Commodities to be staved and spilt, and the other to be publickly burnt, &c. and no person to take away or fave any of the faid Commodities, on pain to forfeit 40 s, above the value of the faid Goods.

The Importers thereof shall forfeit the full value, according to the Rates hereafter mentioned; and persons in whose Custody they shall be found when seized, or who thall fell or re-tail them, thall for the first Offence sorfeit the value thereof, as aforefaid, and for the second Offence double the value, and be disabled to bear or execute any Office or Employment relating to the Customs, or any part of the Revenue, or any other Office whatsoever: And if any fuch Commodities imported, contrary to this Act, shall within the time aforesaid, upon any pretence, be fold, retailed or uttered, or be found within England, Ireland, Ore. any persons may seize them, and like Information and Judgment for destruction thereof shall be had and given as aforefaid.

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Dispute.

They in whose Custody such Goods shall be found, shall incur the Forseitures and Penalties aforesaid; and if any Dispute and Doubt shall arise, whether the said Goods were of the Product or Manusacture of the French Kings Dominions, or imported contrary to this Act, the Proof shall lye on the Importer, Claimer, Vender, &c. and not on the Informer; and if any Informer shall by Fraud or Collusion, desist or delay Prosecution, he shall forseit 500 l.

Informer for feits 500 l.

If any person, not being a known Merchant, Vintner or Shopkeeper, shall sell or expose to sale any of the Commodities hereby prohibited, they shall, over and above the Penalties aforesaid, suffer Twelve months Imprisonment.

Vessels, with all their Guns and Furniture, in which any such Commodities shall after the said 24th day of August be Imported; and every Bark, Lighter or other Vessel, out of which they shall be put on shoar, shall be forfeited, and the Master or other person taking Care of such Vessel for the Voyage, or out of which any of the said Commodities shall be unshipt into any Hoy, &c. to be put on Shoar, shall forfeit 500 l. and also being apprehended by a Justice of Peace's Warrant, and the Fact proved before one or more Justices, by the Oath of two Witnesses, shall be Committed to the next Gaol for three Months.

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And Sea-men, Water-men, Car-men, and other persons, Assisting in the Landing or Conveying any of the said Commodities by Land or by Water, shall upon Examination and Proof, as aforesaid, be subject to like Imprisonment, or be publickly Whipt, at the Justices discretion.

And the Carts, Teams, Carriages, Horses and Oxen, made use of in such Carriages or Conveyance, may be seized and stayed, and upon Proof before a Justice of Peace, by the Oaths of two Witnesses, that they were made use of in moving or conveying any Goods, hereby prohibited to be imported, they shall be forseited; the one half to the use of the Poor of the Parish, the other to his use that shall seize the same.

And if the Master, or other Person belonging to any Vessel, laden or part laden with any of the said Commodities, shall unship, or wittingly suffer to be unshipt, any the said Prohibited Goods, either at Sea, or in any Harbour, Creek, or Bay of the Kingdom aforesaid, he shall forseit 500 l. and suffer Imprisonment, as aforesaid.

Persons prosecuting shall be rewarded with one Third part of the value of the Goods prosecuted to Condemnation and Destruction: And the residue of the Forseitures and Penalties beforementioned, and not before disposed of, shall be divided into Three parts, two Thirds to Their Majesties, and one Third to him

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that will seize or sue for the same; the Charge of such Prosecution to be born by Their Majesties, and issued by the Receiver General of the Customs, by Warrant from the Commissioners.

Custom, Officer. If any Person belonging to the Customs shall connive at the Importation of any of the said Commodities, he shall not only forfeit 500 l. to be recovered, as aforesaid, but be made incapable of any Office or Employment under Their Majesties, and sorfeit the Penalties of their Bonds, for true personnance of their Trust.

Prizes.

By Stat.2.W.& M.Seff 2.cap.14. If any Officer of the Customs or Prizes, shall knowingly suffer any Goods or Manusactures imported, as Prizes or otherwise, contrary to an Act made in the first year of Their Majesties Reign, Entituled, An Act for probibiting all Trade and Commerce with France, to be admitted to an Entry, or to be imbezeled and not staved, spilt, burnt or destroyed, as the said Act directs, he shall torseit 500 l. one Moiety to Their Majesties, the other to the Informer, and shall be uncapable of executing any Office in Their Majesties Revenue.

Offenders punished by virtue of this Act, shall not incur the penalty of any former Law for the same Offence, and no Writs of Certiorari shall supersede or remove any proceding, by virtue of this

Act.

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Persons relisting, abusing, beating or wounding an Officer, Informer or other person impowered hereby, or such as shall act in their Aid, shall by the next Justice of Peace, or other Magistrate, be committed to Prison till the next Quarter-Sessions, where they shall be punished by Fine, not exceeding 5 l. and the Offender to remain in Prilon till he be discharged of his Fine and Imprisonment by Order of the Justices, or any two of them.

If any who shall take such Prize or Prize Prizes, imbezil or conceal any part of such Goods or Merchandize, or put the fame on Shoar in any other place than their Majesties Ware-houses, they shall lose their fhare thereof, upon Proof made by one or more Witnesses upon Oath before the Commissioners of the Customs in the Port of London (if such Offence be committed within the said Port, and within the view and knowledge of any Officer of the Customs belonging thereunto) and before the Chief Magistrate of the place, in the presence of the Chief Officer of the Port, in any other Port; one Moiety of fuch Wares, to be to the use of the Informer, and the other part to to the use of Their Majesties.

Privateer.

If any Ship or Goods of the Product or Manufacture of the Dominious of the French King, shall be taken by any Privateer by collusion, upon Proof made thereof in the Court of Exchequer or Commission of Admiralty, they shall be adjudged lawful Prize; one Moiety thereof to Their Majesties, and the other Moiety to him that shall discover the same, and the Bond given by the Captain of such Privateer is hereby adjudged to be forseited.

If such Ships or Goods shall be taken by Collusion, by any Man of War, the Commander shall forfeit 1000 l. one Moiety to their Majesties, and the other to the Discoverer; and such Commander shall forseit his Command or Employment, and be uncapable of any Office under Their Majesties during Seven years; and such Vessel and Goods shall be adjudged good

Prize to Their Majesties.

In case any Man of War, or Privateer, take or destroy any Frenchman of War or Privateer, they shall receive for every Piece or Ordinance in any Ship so taken or destroyed, 10 l. to be paid by the Commissioners for the Prizes, out of Their

Majesties share of Prizes.

Provided, That if the Commissioners do not pay the same, or give a Bill payable out of the first Moneys that shall come to their hands, by three days after the same ought to be paid, and demand thereof made,

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the rivafree of all Charges and Deductions, such Commissioners shall be uncapable of any Office in Their Majesties Service for the suture.

If any person shall imbezil any thing whatsoever, upon or above the Gun-deck, or in any other place, in any Ship taken or seized on as Prize, or re-taken from the Enemy, he shall forfeit his Share and Reward hereby allowed him; and if he be an Officer, he shall forfeit for every such Offence 500 h one moiety to their Majesties, the other to him that Sue for the same, and shall be uncapable of any Office or Employment under their Majesties for Seven years.

If any Vessel whereupon Wool is laden Wool to be Transported, contrary to the Law, be taken by any Privateer, on Proof thereof in the Exchequer, the Person interested in the Privateer shall have a moiety of the Vessel and Goods, and their Majesties

the other molety.

All Goods of the Growth or Manufacture of France, imported and seized, shall be sued for and prosecuted in the Exchequer, in manner and form, as is provided by an Act made in the 14th year of King Charles the Second, Entituled, An Act for preventing Frauds in His Majesties Customs; two Thirds to be to the use of Their Majesties, &c. (they defraying the Charges of the Prosecution,) and one K

Third to the Prosecutor, and no Composition to be made for Their Majesties part; such Goods to be secured and sold, as Prize Goods are appointed by this Act to be secured and sold.

Silk im-2

By Stat. 5 W & M. cap. 3. It shall be lawful to, or for any person or persons residing within their Majesties Dominions, to import within this Kingdom from any Port whatsoever (excepting the Ports of France) during the present War with France and three Months after, fine thrown Silk of the growth or production of Italy,

Sicily or Naples.

Provided, That this Act nor any thing herein contained shall extend to give liberty to bring Over-land, and import any Italian thrown Silk, courfer than a fort thereof, known and distinguished by the name of third Bolonia; nor any Sicilian thrown Silk, courser than a fort thereof. known and diftinguished by the name of fecond Orlay; nor any forts of Silks, commonly called Frams, of the growth of Italy, Sicilia or Naples; nor any other thrown Silk, of the growth or production of Turky, Persia, East-India or China. under the penalty and Forfeiture of all fuch thrown Silk as shall be brought Overland, and imported contrary to the intent of this Act.

# concerning Tradelmen.

And that all Italian, Sicilian and Naples thrown Silks as are allowed to be imported by this Act, wherefoever Landed, shall be brought to their Majesties Custom-house of London, to the intent that no other fort may be imported Over-land, than those only allowed by this Act, under the penalties before mentioned, any thing to the contrary hereof notwithstanding. Vide Silk Throsters.

By Stat. 6 & 7 W. 3. cap. 18. towards the Lustrings. end, No person shall presume to deal, buy or fell, or fend beyond Seas any black Alamodes or Lustrings, unless they have the Seal orMark which are already used for Foreign Goods at the Custom-house, or the Seal and Mark uled by the Lustring Company, for the Goods manufactured by them in England, under the Forfeiture of fuch unqualified Goods, and also to forfeit 100 L for every Offence, one half to the King, the other to fuch persons as shall Sue for the same by Action, Bill, &c. in any Court of Record at Westminster, wherein no Effoin,&c. If the Buyer of fuch Goods not fealed according to Law, shall within Twelve months discover the person of whom he bought the same, he shall be discharged of the penalty incurred, and shall also receive to his own use one moiety of the Sum imposed on the party so selling.

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## A Wiew of the Benal Laws

Penalty for altering, counterfeiting or misapplying any of the Seals or Marks now used for the purpose aforesaid, 100 l. to such person as shall Sue for the same.

Plantati-

By Stat. 7 & 8 W. 2. cap. 22. After the 25th day of March 1698. no Goods or Marchandizes whatfoever shall be imported to, or from any Colony or Plantation to his Majesty belonging, in Asia, Africa or America, or from one Port or Place to another Port or Place in the same, to the Kingdom of England, Dominion of Wales or Town of Berwick, in any Ship but what shall be Built in England, Ireland or the faid Colonies, and wholly owned by the People thereof, and navigated with the Master, and three fourths of the Mariners of the said places, under pain of Forseiture of Ship and Goods, one third part to the King, one third part to the Governour of the laid Plantation, and the other third part to the person who shall inform and Sue for the same at Westminfter, or in the Plantations where such Offence shall be committed, [except Ships taken and condemned as prize, to be navigated as aforefaid; except also for the space of three years, fuch Foreign built Ships as shall be imploied by the Commissioners of his Majefties Navy, in bringing only Mafts, Timber and Naval-stores for the Kings Service from his Majesties Plantations, and whereof the property doth belong to Englishng of now

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Englishmen, ] and from after the said 25th of March, Goods may be exported and imported, to and from this Kingdom and the Plantions aforesaid in such Prize Ships, and Masts, Timber and Naval-stores in such Foreign built Ships as aforesaid, for the space of three years, any Law or Statute to the contrary notwithstanding.

All the present Governours or Commanders in Chief, of any English Colonies or Plantations, shall before the 2516 of March 1697, and all who shall hereafter be such, before their entrance in to the faid Government, take a Solemn Oath to do their utmost, that the Acts of Parliament heretofore passed, and now in force relating to faid Colonies and Plantations. [12 Car. 27 cap. 18. 15 Car. 2. cap. 7.22, 6-22. Car. 2. cap.26.25 Car. 2. cap.7. ] and that all and every the clauses contained in this present Act be punctually observed, so far as appertain to the faid Governours respectively; and upon proof made before his Majesty, by the Oath of two or more credible Witnesses, that any the faid Governours or Commanders in chief have neglected to take the said Oath, or have been willingly negligent in doing his Duty, accordingly fuch Governour shall be removed from his Goverment, and forfeit the Sum of 1000 l. Sterling.

All Penalties and Forfeitures not in this Act particularly disposed of, shall be one third to the King, one third to the Gover-

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vernour of the Plantation, and the other third part to the person who shall Sue for the same in any Court at Westminster, in Ireland, or in the Court of Admiralty, in any Plantation belonging to England where in no Essoin, &c. shall be admitted. And where any question shall arise concerning the importation or expiration of any Goods, the proof shall be upon the owner or claimer.

After the first day of December 1696, it shall not be lawful on any pretence whatfoever, to put on Shore in the Kingdoms of Scotland or Ireland, any Merchandize of the growth or product of any of his Majesties said Plantations, unless the same have been first Landed in England, Wales or Berwick, and paid the Rates and Duties wherewith they are chargeable, under Penalty of Forfeiture of Ship and Goods, three fourths to the King, the other to him that shall Sue for the same. Nevertheless, if any Ship Laden as aforesaid shall by stress of Weather be stranded, or by leakiness or other disability be driven into any Port of Ireland, and unable to proceed on her Voyage, her Goods and Marchandizes may be put on Shore, but shall be delivered into the chief Officer of the Cultoms there, till the said Goods shall be put on board some other Ship or Vessel, to be transported to some Port in England, Wales or Town of Berwick.

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Persons claiming any Right or Property America, in any Island, or tract of Land on the Continant of America by Charter or Letters Patents, shall not at any time Alien, Sell or Dispose to an other than to the Natural-born Subjects of England, Ireland, Wales or Berwick, without the License and consent of his Majesty in Council sirst had and obtained; and all Governers appointed by any such proprietors shall be allowed and approved of by his Majesty, and shall take the Oaths injoyned to be taken by the Governors and Commanders in chief, in other his Majesties Colonies and Plantations under the like penal-y.

After the 25th of March 1698, No Ship shall be deemed to pass as a Ship of the built of England, Ireland, Wales, Berwick, Guernsey, Fersey, or any of the Kings. Plantations in America, so as to be qualified to Trade to any of the faid Plantations, until the proprietor of such Ships shall Register the same, and one or more of the Owners of fuch Ship make Oath where their Ship was built, who are the present owners thereof, and that no Foreigner directly or indirectly hath any Share; Part or Interest therein, which Oath is to be administred by the Collector or Comptroller of the Customs of such Ports, to which the Ship belongs, if in England, Ireland, Wales or Berwick: But if in any American Plantations, Guern/ey or Jersy, K 4 then

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then by the Governor with the principal Officer of his Majesties Revenue there; which Oath being attested by the Governor or custom Officer respectively, who administred the same, and registred by them. shall be delivered to the Master of the Ship, for the security of her Navigation, and a duplicate transmitted to the Commissioners of his Majesties Customs at London, and there entred in a general Register: The Vessel that Trades to, and from the Plantations in America, after the aforesaid time, without such proof made as here directed, is liable to fuch Profecution and Forfeiture, as foreign Ships would be for Trading to the faid Plantations.

All fuch Ships as are taken at Sea, by Letters of Mart, and condemned in the Admiralty as lawful Prize, shall be regi-Ared, with proof also upon Oath, that the entire property is English, before any such Prize shall be allowed the priviledge of an English built Ship. Nothing in this Act shall extend to require the Registring of any Fisher Boats, Hoys or any open Boats, but only of fuch as cross the Seas, or from Plantations. No Ships name Registred shall be changed without Registring such Ships de novo, under the same penalties as before directed, and upon Sale of any Share, fuch Sale shall be acknowledged by endorsment on the Certificate of the Regifter. Minters.

#### Minters and Moniers,

Upon the Act Anno 8 & 9 Will. 3. Regir, for incouraging the bringing in wrought Plate to be Coined, at 5 s. 4 d. per Ounce, It is Enacted, That in every City, Town or place where a Mint is, or shall be established or imployed for the Coining the faid Plate, and for the Recoining of Hammered Money or either of them, and in every City Town or place where a publick Office shall be appointed by his Majesty for the taking in of wrought Plate, the Master or Worker of such Mint or Mints, his Deputy or Deputies, or the persons so to be appointed for such publick : Offices respectively, shall once in every 14. days during the continuance of the faid Service, cause publication to be made in Writing, to be openly affixed and exposed, whereby all persons concerned may be informed of the quantities of wrought Plate, . or hammered Money fo brought in, how much thereof respectively shall from time to time have been made into new Money, ... and how much thereof shall then remain in . the Mint, or such publick Office not Coined, upon penalty of forfeiting the Sum of 20 1. to any person or persons that shall Sue for the same, and to be recovered by Action of Debt, or of the Cafe, Bill, Plaint or Information in any of his . Ma- -K 5

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fer, &c.

The Act 8 & 9 Will. 3. for Duties upon Paper and Parchment, and to incourage the bringing in of Plate and Hammered Money into the Mints to be Coined, gives a Forseiture of treble Damages besides Costs to the party grieved, against such Officers of the Mint as offend against the Rules thereby provided. See the Statute.

By 7 & 8 W. & 3. eap. 19. If any Press for Coinage shall be found in the Custody of any person (except Officers of the Mint) the same shall be seized, and the person in whose Custody it shall be found shall sorseit 500 L one Moiety to the King, the other to the Informer, to be recovered in any of the Kings Courts, wherein no Essoin, &c. shall be allowed.

### Oylmen.

By Stat. 3 H. 8.14. The Mayor of London together with the Master and Wardens of the Mystery of Fallow Chandlers there, shall have power to Search all Oyls brought to London to be sold, and to oversee that the same be not mixed, or altered from their right kinds, and what they shall find deceitfully mixed, they shall cast away, and punish the Offender by Imprisonment; or otherwise at their discretions.

cretions, according to the Laws and Cu-

Head Officers in other Corporations shall have the like power within their Jurisdictions.

### Paper and Parchment Makers:

By the Act made 8 of 9 Will. 3. it is Enacted for, and during 2 years, from the first of March 96, there shall be levied for the use of his Majesty upon all Paper, Pastboard, Parchment and Vellum during the said Term manusactured in England, Wales or Berwick, or Imported or brought into the same, viz. for all Paper white or brown, or any other colour, and for all Vellum and Parchment of what kind soewer, after the Rate of 20 h for every 100 h. of the real value to be paid by the respective Makers.

For all such Paper, Pastboard, Vellum and Parchment imported into England, Wales or Berwick, whether in Rolls, Reams, Quires, Books Printed or not Printed, after the rate of 25 l. for every 100 l. of the real value to be paid by the Importer thereof, over and above all Customs already payable, to be paid in ready Money upon his Entry made, and before Landing, or else to give Security for payment within three Months after Entry, and in case of payment in ready

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Money, there is allowed a discount after the rate of 101. per Cent. per Annum, for the faid three Months.

If such imported Commodities be Landed before due Entry and Duties satisfied, or without Warrant from the proper Officer, the said Commodities or value shall be forfeited, and may be recovered of the importer or Proprietor thereof; one Moiety to the King, the other to him that will Seize or Sue for the same, or the value, by Action of Debt, &c. The real value meant is, so much as the Commodity shall be worth to be sold, so soon as they are perfectly made or imported.

In case of dispute, the value may be effermed by the Affidavit of the Maker, and the Officer may take them at that value, and sell the Goods for his Majesties advantage, and be allowed upon Account,

&c.

of March 97, and other Makers afterwards give notice to the Commissioners of his name, abode and place of making his Manufactures; and also, when from time to time he changes the places of working, before he or they presume to make the same, he shall forfeit 20 l. one Moiety to the King, the other to him that shall Sue for the same as aforesaid.

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The Makers of Paper shall use no place for drying, other than common places, whereof they first shall have given notice to

the proper Officer.

Nor the Makers of Parchment or Vellum shall use no Pits, or splaces other than fuch as are publick, and whereof they shall first have given the like notice; and that they shall respectively permit the Officers to take notice of their Stock of Skins, Rags, Stuffs or other Materials, and of their proceedings, &c. and shall from time to time, within 5 days after the making their Parchment, &c. shall be dried, &c. and fit for use, make true Entries with the Officers attending, or give them true accounts in Writing, and then shall pay or secure the fame to be paid within 6 Months after; and shall have a permission from one of the Officers, before they remove any parcel from the place where such Goods shall first be put, after they are fit for use, and shall no ways hide or conceal their Goods, and to defraud his Majesty, under the penalty of 50 l. one Moiety to the King, the other to him that shall Sue for the same as aforesaid, and the concealed Goods shall be forfeited to the King, and may be feized by the Officer. Such as at time of Entry, make prompt payment shall be allowed 10 h per Cent. per Annum, upon every Sum to be paid for the faid time of 6 Months.

Upon

Upon Controversy, The Goods shall be esteemed by the Oath of the Owner, and the Officer may take them at the value; and sell them for his Majesties advantage paying the Owner, and shall be allowed

upon Account.

Where any of the said Commodites shall be seized for any Offence against this Act, and an Information thereof layed by the Officer, or a Complaint made by the Owner within 8 days after the Seizure, before any two or more of his Majesties Justices of the Peace, who may summon Witnesses and examin the matter upon Oath, and determin the same; and if either party think himself agrieved or unsatisfied, he may appeal to the Justices of the next Quarter Sessions for the County, Riding, or place for a final Determination.

No Reward is to be taken for Entries or

Permission.

Such as shall export any of the said-Commodities, and give Security not to reland them, shall be repaid their respective. Duties paid or secured, after Oath made, that such Duties were paid or secured.

That after the 25th day of March 1697, No person in England, Wales or Tweed, shall use any white linnen Rags, for making brown or course Paper, but only for such as are generally called, or known by the name of white Writing or Printing Paper, on Forseiture of 51. for every Offence,

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one Moiety to his Majesty, the other to such persons, who shall Prosecute and Sue for the same in any of his Majesties Courts of Record, by Astion of Debt, Bill, Plaint or Information, &c.

#### Painters and Plaisterers.

By Stat. 1 Fac. 1. 20. No Plaisterer shall use to exercise the Art of a Painter in London or the Suburbs thereof, or lay any manner of Colour or Painting what-soever, (in the Art of Painting hereto-fore used) unless he be a Servant or an Apprentice to a Painter, or have served seven years as an Apprentice in that Art; in pain for every time so offending to forseit 5 l. to be divided betwixt the King and the Prosecutor.

Provided notwithstanding, That Plaisferers may use Whiting, Blacking, Red- 1 Jac. 16. lead, Okar and Russet mingled with Size

only, and not with Oyl.

Provided also, That no Painter shall take above 16 d. the day, for laying any slat Colour whatsoever, mingled or mixed with Oyl or Size, upon any Timber, I Jac. 10. Stone or Lead.

## Phifitians and Chirugeons.

By Stat. 3 H. 8.1 r. Phisitians and Chi-phisians, rugeons in London or within 7 miles, not and Chi-examined and approved of by the Colledge rurgeons.

of

of Phisitians, or examined, or admitted by

Month they Practice 5 1.

But in other places distant from London 7 miles and more, they must be examined by the Bishop of the Diocess, or his Vicar General under the same penalty.

porating the Colledge of Phisitians in London says, None shall Practise there

the Seal of the Colledge, in pain of 5 l.
betwirt the King and the Colledge

Sign at his Door, upon Forfeiture of 5 h.

per Month, betwixt the King and the

Profecutor.

It is lawful for persons skilful in the nature of Herbs, Roots and Waters, to Practise and Minister to any outward Sore, Uncom, Wound, Imposthume, Outward-swelling or Disease, any Herbs, Oyntments, Bathes, Poultes and Emplasters, according to their knowledge of the said Maladies; as also Drinks tor Stone, Stranguary or Agues, without Suit, Penalty or Loss.

34 6' 55. H. 8. 8.

Next I will speak of Prisoners and Debtors, because the same may much concern Tradesmen. Prisoners, Debtors, &c.

By Act 8 & 9 Willielmi tertij Regis, " Quere. Two Third parts in number and \* value, of Real Creditors, may make Agreement or Composition with their Debtors withdrawn or absconded, or as were or should become Prisoners for Debt before the 17th of No-

vember, 1696.

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That fuch Agreement being made for the Equal benefit of all the Creditors, in proportion to their respective Debts, and fubscribed and scaled by the aforesaid two Third parts or more in " Value, without \* quere ! any fecret, fraudulent 'or collateral Agreement, shall conclude all the other Creditors as effectually as if they had subscribed such Agreement,&c.

For preventing Frauds, the Subscriber. if required, in writing before two Credible Witnesses, by one or more of the Creditors, their Executors, Administrators, Guardians or Trustees, within 20 days after, shall make Oath in Writing before a Mafter in Chancery, how the Debt to him became due, and that he hath not directly or indirectly agreed for a greater advantage, than is expressed therein, and the Oath is to be Filed within 20 days by the Jurate or his Order, at the Charge of him that requested it; and if the party Forfwear-

swear himself he shall be liable to the

Penalties for Perjury.

If he refuse to make such Oath within the time limited, or if it appear he has agreed for a greater advantage than expressed therein, his Subscription shall be void, and he shall forfeit 100 l. besides the treble value of what he shall so fraudulently claim or agree to receive, &c. to be recovered with full Costs of Suit by such of the Creditors only that will Sue for the same by Action of Debt, Bill, Plaint or Information, in any of his Majesties Courts at Westminster, Oc. And all the Money so recovered (the Costs and Charges of fuch Recovery being first deducted by the Profecutor or Profecutors) shall be equally divided and distributed to and among all the Creditors (except such as upon Notice shall refuse to Contribute towards the Charges of carrying on fuch Suit ) in proportion to their respective Debts.

If such Debtor be in Prison at the time of the Agreement, or shall afterwards be arrested or detained by any of the Creditors, contrary to the meaning of the Composition, the Lord Chancellor, Lord Keeper, Commissioners of the Great Seal, Master of the Rolls, or any of the Judges of the Kings-Bench or Common-Pleas, or Barons of the Exchequer, may upon Motion or Petition Summon the Creditor and Keeper of the Gaol, to bring the Debtor

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# concerning Tradesmen.

before him or them, to produce his Composition, with a Schedule of his Debts annexed, that the two Third parts or more in number and \* value, intended by this Act may appear, and that he is a Prisoner for \* Nor; no other Cause; and may thereupon (in the Creditors presence, or in his absence, upon Oath that he was lawfully Summoned) make an Order to discharge the Debtor, and for the Creditor to pay Costs and Charges occasioned by the Arrest. And If the Keeper neglect to attend upon fuch Summons, or shall not forthwith obey the Order for discharging the Prisoner', he shall forfeit for every Day so neglecting to attend or obey the Sum of 5 1. to be paid to the Debtor, so ordered to be discharged.

If any person be Sued for prosecuting this Act, he may plead the General Issue; and if against the Plaintiff, may recover treble Casts, &c.

This Act shall not extend to impeach Securities by Mortgage or Pawn, or Debts by Judgment, Statute, Recognizance or other Security, whereby the Lands, Tenements, Hereditaments, Goods and Chattels of the Debtors may be charged; but not to affect the Person of the Debtor.

Provided, That where an Agreement hath been already made between Debtors and Creditors, the same shall take effect accordingly; nevertheless the Creditors

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and Debtors shall, as to all things, have the benefit of this Act, for the forcing and

making good fuch Agreement.

By another Act Anno 8 & 9 Willielmi tertij, It is Enacted, That if after the first day of May, 1697, the Marshal of the Kings-Bench, or Warden of the Fleet, or any other Keeper or Keepers of any Prison, suffer any of their Prisoners to be at large, out of the Rules of their respective Prisons, (except by virtue of some Writ of Habeas Corpus or Rule of Court, to be granted by Motion or Petition in open Court,) every such going or being out of the said Rules is declared to be an Essape.

Such as obtain Judgments for Escapes against the Marshal, or Warden, or Deputies, may have all lawful Satisfaction, and the Judges of the Courts (upon the parties Oath, that the same was obtained without Fraud or Covin, and that the Debt of the Prisoner escaping was real and unsatisfied) shall upon Motion in open Court, sequester the Fees and Profits of the Office of Marshall or Warden, or so much as the Court shall think sit, with respect to the Debts due from the Prisoner escaping, towards satisfaction of the Debt, with all Costs and Damages recovered in such Action of E-

fcape.

Escape.

# concerning Travelmen.

And that if the Marshal or Wardens, or their Deputies, shall Sue forth a Writ or Writ of Error, to reverse the Judgment, they shall be obliged to put in Special Bail,

or else no delay of Execution.

If any Marshal or Warden, or their Deputies, or any other Reeper of any other Prison within this Kingdom, take any Money, Reward or Security, &c. to permit or connive at any Escape, he or they shall forseit 500 l. and his Office, and be ever after incapable of executing any such Office.

This Act not to make void any Securities given for Lodgings without the Prisons, and within the Rules of the said Kings-Bench and Fleet; so as the same be not taken for Inlargment out of or beyond the Rules

of the faid Prisons.

No retaking on Fresh-pursuit, to be given in evidence on Trial, for Escape by the Marshal, Warden, Deputies, or other Keepers of Prison, unless pleaded Specially, and Oath respectively made in Writing, That the Prisoner did escape without Consent, privity or knowledge of such Marshal (&c.) if the party shall afterwards be convicted that the Assidavit was false, he shall forseit 500 %.

If a Prisoner Committed in Execution shall escape, the Creditor may re take him by a new Capias, or Capias ad satisfaciendum, or sue forth any kind of Execution on

the Judgment.

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If the Marshal, Warden, their Deputies or other Keepers of Prisons, shall after one days Notice in Writing, given for that purpose, refuse to shew any Prisoner Committed in Execution to the Creditor, at whose Suit such Prisoner was Committed or Charged, or to his Attorney; Every such Resusal shall be adjudged to be an Escape in Law.

If any person desiring to charge any Prisoner with any Action or Execution, shall desire to be informed by the Marshal or Warden, or their Deputies, or any other Keeper of Prison or Prisons, whether such person be a Prisoner in his Custody, or not, he or they shall give a true Note in Writing thereof to the person requesting the same, or to his lawful Attorney, upon demand, at his Office for that purpose; or in default thereof shall forseit the Sum of 50 %.

And if such Note be given, That such person is an actual Prisoner in Custody, every such Note shall be accepted and taken as a sufficient Evidence, That such peson was at that time a Prisoner in actual Custody.

That Marshal and Wardens shall Inroll their Conveyances and Mortgages of their Inheritance of the Prisons, Prison-houses, &c. or else such Deeds to be void.

That they who shall have the Inheritance of the said two Prisons, shall execute their Offices in proper person, or by their sufficient Deputies, for whom they

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shall be Answerable by Sequestration, &c.

That upon Filing a Bill against the Warden of the Fleet in the Common-Pleas, or Exchequer-Courts at Westminster, and a Rule given to plead in eight days after, Judgment may be signed, if no Plea within three days after the Rule is out.

Also any person after filing or entring a Declaration with the proper Officer against any Prisoner in the Fleet, and delivering a Copy thereof to the Desendant in any Personal Actions, or to the Turn-Key or Porter of the Fleet Prison, and after a Rule given to plead (to be out at eight days after) and Assidavit made before any Justice of the Court of Common-Pleas, or some of the Barons of the Exchequer, of such delivery, may sign Judgment, as if the Desendant had been charged at the Bar of the Common-Pleas or Exchequer.

That no Prisoner shall be compellable to pay Chamber-Rent within any Prison, longer than he is actually in possession of such Chamber, and then not above 2 s. 6 d. per Week for any such Chamber; he that takes or demands more, shall for every

Offence forfeit 20 s.

Also, He that hath any Debt owing to white Fryhim from any person who shall reside ars, or within White Fryars, Sawoy, Salishury-Court, Ram-Alley, Mitre-Court, Fullers-Rents, Baldwyn's Gardens, Mountague-Close,

or

or the Minories, Mint, Clink, Dead-mans Place, may take out legal Process in London or Middlesex, and demand such Sheriff or Officer (as the Case shall require, if the Plaintiff think it requisite) to take such Power as shall be requisite, and enter any the said pretended Priviledge places to arrest the person, or seize his Goods upon Execution.

If the Sheriff or other Officer refuse, upon Request, to use his beast endeavour to execute such Process, he shall pay to the Plaintiff 100 L to be recovered by Action

of Debt. oc.

Such persons as shall resist the Officers, shall forfeit for every time he so offends, 50 l. and shall by some Justice be committed to some Common Gaol, there to remain till the next Assizes, Sessions or General Gaoldelivery; and being Convicted, shall undergo such Imprisonment, and be set in the Pillory as the Court shall think fit.

Refene.

He that makes a Rescous within the said places, or aiding thereto, being lawfully convicted, shall forseit to the Plaintist 500 l. to be recovered by Action of Debt, &c. in any of the Courts at Westminster; and is after such Recovery he pay not the Sum with sull Costs, within a Month after Judgment signed and demand made, upon producing a Copy of the Judgment, and Oath made of the Money not being paid, he shall by the Sheriff be transported to

# concerning Tradelmen.

one of His Majesties Plantations beyond Seas, to remain for seven years; if he return in that time, he is adjudged a Felon without

Clergy.

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If any within such pretended Priviledged places knowingly conceal or harbour fuch person as made the Rescous being convicted thereof, shall also be Transported as aforefaid, unless within one Month after Conviction he pay the full Debt or Debts to the Plaintiff with full Costs; if he return within the faid time, 'tis Felony without benefit of Clergy.

The several Penalties in this Act, not particularly disposed of, shall go, one to half His Majesty, the other to him that will Sue for the same, to be recovered as aforesaid.

This Act to be taken as a General Law, and fuch as are Sued for Executing it may plead the General Issue, and give the Act and Special Matter in Evidence, and may have treble Costs.

#### Salt-makers and Salters.

By Stat. 5 & 6 W. & M. Sell. 2.cap. I. This Sta-From and after the 25th day of March ture con-1694, there should be raised, levied, col-tinued for lected and paid unto their Majesties until ever, see the 7th day of May 1697, and no longer steer. for Salt, the Rates and Duties following, viz.

ficers, ffends. mitted in till Gaolll unin the ne faid wfully aintiff Debt, nster; t the after upon

, and paid, ed to one Three pence by the Importer for every Gallon of Salt, not being of the Product or Manufacture of this Kingdom, imported after the said 25th of March, over and above the present Duties then payable for

Salt imported,

The Duties fet on all foreign and imported Salt, to be paid in ready Money upon Entry made before the Landing; and if any landed before due Entry with the Collectors, or before the Duty satisfied, or without a Warrant for Landing (the same first figned by the Collector in the Port) the same or the value to be forfeited, and to be recovered in fuch manner as any Forfeiture is to be recovered, mentioned in the Act of 12 Car. 2. Entituled, An Act for the taking away the Court of Wards and Liveries, and Tenures in Capite, &c. or by any other Statute in force relating to the Revenue of Excise. Nevertheless, such Importer of Foreign Salt, to have fix Months time for the payment, giving fecurity to the Collector; but if he pay ready Money, then to have I o l. per Cent abated.

Every Gallon of Salt, and Rock-falt made within this Kingdom, should pay one penny half penny, and after that rate

for a greater or leffer quantity.

The Duties upon Salt to be managed by the Commissioners of the Excise, and the Collectors to be appointed under their Hands and Seals.

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All Markers and Proprietors of Salt, and Rock-salt to make true Entries with the Officers appointed, of the quantities of Salt by them made or taken out of the Pits, and to have a Warrant gretis under the Hand and Seal of the Officer, impowering such Maker or Proprietor to carry away the same before removed, the said said Warrant to be given upon payment, or security of payment within six Months after such Entry: Provided, if any person at the time of Entry and Delivery paid down the Duty imposed, he should be allowed at the rate of 10 l. per Cent.

That it should be lawful for the Officers appointed, to Seize all fuch Salt which should be conveyed away before Entry made, without Warrant of the Commissioners or other Collectors; and the Salt that should be so seized, to be brought to the Officer next such place where such Salt was feised, and there detained, and if not claimed by the true Owner within ten days after Seisure, to be forfeited and sold at the next general day of Sale, to be appointed by the Commissioners or their Officers, one Moiety to the use of their Majesties, the other to him that seised the fame, and if the Owner claim the fame within ten days, and should not make it appear before the next Justice of Peace in the County where fuch Seizure was, by Oath of one or more Witnesses, that the

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Salt was duly entred, and that there was a Warrant for carrying away the same then it should be forfeited and disposed a aforesaid, and he that carried, or caused to be conveyed away should forfeit double the value.

No Retailer to be permitted to Ship of any Salt to be fent to any Port in England or Wales or to Berwick, before he made it appear by Oath, or otherwise, before the Commissioners or their Officers, or some or one of them, that the Duty of such Salt was paid or secured, or that it was bought of some other Retailer, or Shopkeeper that

had paid the Duty.

That the Master and Commander of any Ship or Vessel, that should after the 25th of March aforesaid, Transport any Salt, from one Port to another in England, Wales or Berwick, should before Landing it, deliver to the Collector of the Duty in the faid Port, a true particular of the quantity thereof, figned by the Collector of the Duty, and the Officers of the Customs in that Port from whence the Veffel came, and that then the Master or his Mate, or the Boat-Swain of fuch Ship or Veffel, should make Oath before the Commissioners or their Officers, or one of them, that to his knowledge there had not been taken into the faid Ship any Salt, fince he or they came from such Port; and if such Ship was to deliver her Salt, part at one Port

## concerning Tradesmen.

Port and part at another, then the Colleflors of the Duty, and the Officers of the Custom, where such part was to be delivered, should gratis certifie on the Cocket, Transire, or other Warrant, or by Certificate under Hand and Seal of the Officer, what quantity of the Salt mentioned in the Cocket whence such Ship came, had been there Landed, upon Forseiture of double the value of the Salt otherwise delivered.

That all Salt imported by Sea or Land into England, Wales or Berwick, and not of the product of any of the said places, to be adjudged Foreign Salt, and so chargable; and all Scoth Salt brought by Land into England to be entred at Carliste or Berwick, under Forseiture of double the value.

The Justices of Peace (not concerned in making or selling Salt) at every Easter and Michaelmas Sessions, to set the prices of Salt to be sold by the first Seller for the next half year, and none to sell above those prices under the penalty of 5 l. and Forteiture of double the value, to be levied by Distress and Sale of the Offenders Goods, one half to the King, the other to the Informer.

The General Issue to be pleaded by the Desendant on Sult, and the special matter given in Evidence, and if the Verdict passed for the Desendant, or the Plaintiff Non-suited, he should have double Costs.

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one ort No Certiorari to supersede Execution, or other proceeding upon any Orders made by the said Chief Commissioners, or Justice of Peace in persuance of this Act.

Protection .

All Salt to be measured by a Bushel of eight Gallons Winchester Measure, by sit Measurers, Sworn and admitted by some Neighbouring Justice without Fee, upon Forseiture of double the value of Salt not so measured.

No Salt to be delivered from any Saltworks or Pits, without notice to the Officer upon Forfeiture of the Salt so delivered, and upon Forfeiture of 20 l. by the Owner of the Saltworks, one half to the King and

the other to the Informer.

If any of the Salt for which the Duty should have been repaid and discharged upon the exportation thereof, should by fraud or otherwise be Landed in England, Wales or Berwick, before the Duty be again paid, and such Entry and all other things performed, as are therein required in case where any Foreign Salt was imported, the Offender to forseit double the value of such Salt so Landed, and such other penalties as therein inflicted upon any person Landing Foreign Salt contrary to the intent of this Act.

If any Merchant being a Subject of the Realm, should Ship any Salt that had paid the Duty, to convey it by Sea to any part of England, and the Vessel should happen

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to be lost or taken, he should upon proof before the Justices at Quarter Sessions of such loss, have a Gertificate of it, and upon producing the same to any Collector of the Duty, the Officer should let him buy the like quantity without paying any Duty for the same.

The Owners of any Rock Salt, might remove the same into Warehouses after due Entry thereof made, and a Warrant or Ticket taken for the same from the Officer next to the Salt Pits, and the Owner should not be obliged to pay, or secure the payment of the said Duty, till the said Rock Salt should be sold and delivered.

That all Salt made in Cheshire should be Entred by weight only 56 1: weight, to be taken to be a Winchester Bushel of eight Gallons, Winchester Measure, and to be entred and taxed accordingly, and all Salz taken out of the Pits to be entred by weight only, and that fixscore pounds weight to be deemed a Winchester Bushel, of eight Gallons Winchester Measure, and entred accordingly: And where any Rock Salt shall be melted and refined, which had before paid the Duty, the Refiner to have allowance after the rate of 12 d. per Bushel; Oath. being first made before some Justice of Peace, of the particular quantity by him so imploied.

No Certiorari to supersede Execution, or other proceeding upon any Orders made by the said Chief Commissioners, or Justice of Peace in persuance of this Act.

All Salt to be measured by a Bushel of eight Gallons Winchester Measure, by sit Measurers, Sworn and admitted by some Neighbouring Justice without Fee, upon Forseiture of double the value of Salt not so measured.

No Salt to be delivered from any Saltworks or Pits, without notice to the Officer upon Forfeiture of the Salt so delivered, and upon Forfeiture of 20 l. by the Owner of the Saltworks, one half to the King and the other to the Informer.

If any of the Salt for which the Duty should have been repaid and discharged upon the exportation thereof, should by fraud or otherwise be Landed in England, Wales or Berwick, before the Duty be again paid, and such Entry and all other things performed, as are therein required in case where any Foreign Salt was imported, the Offender to forseit double the value of such Salt so Landed, and such other penalties as therein inslicted upon any person Landing Foreign Salt contrary to the intent of this Act.

If any Merchant being a Subject of the Realm, should Ship any Salt that had paid the Duty, to convey it by Sea to any part of England, and the Vessel should happen.

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to be lost or taken, he should upon proof before the Justices at Quarter Sessions of such loss, have a Gertificate of it, and upon producing the same to any Collector of the Duty, the Officer should let him buy the like quantity without paying any Duty for the same.

The Owners of any Rock Salt, might remove the same into Warehouses after due Entry thereof made, and a Warrant or Ticket taken for the same from the Officer next to the Salt Pits, and the Owner should not be obliged to pay, or secure the payment of the said Duty, till the said Rock Salt should be sold and delivered.

That all Salt made in Cheshire should be Entred by weight only 56 h weight, to be taken to be a Winchester Bushel of eight Gallons, Winchester Measure, and to be entred and taxed accordingly, and all Salz taken out of the Pits to be entred by weight only, and that fixscore pounds weight to be deemed a Winchester Bulhel, of eight Gallons Winchester Measure, and entred accordingly: And where any Rock Salt shall be melted and refined, which had before paid the Duty, the Refiner to have allowance after the rate of 12 d. per Bushel; Oath. being first made before some Justice of Peace, of the particular quantity by him. to imploied.

By Stat. 7 & 8 W. 3. cap. 3 1. For the encouragement of such persons, who shall voluntarily contribute to the advancing into the Exchequer, towards carrying on the War, any Sum or Sums of Money not exceeding Five and twenty hundred and sixty sour thousands pounds, upon the Terms therein mentioned, Enacted, That all Duties upon Salt granted by an Act made 15 & 6 W. & M. until the 17 of May 1697. Shall continue for ever, to be raised in the same manner and form, and under such penalties as are mentioned in the said Act.

And that all Salt made from Rock Salt, (allowing the Draw-back for the same, as in the Act of 5 & 6 W. & M. sap. 7. is Salt mentioned) and all refined Salt, or made from Salt, either imported, or made in England, was and is chargable with the Duty of one penny half penny per Gallon, any thing in the said Act notwithstanding.

All Salt and Saltworks, (Rock Salt excepted) shall be ascertained as to the said Duties, at the rate of Fifty six pounds weight to the Bushel, eight Gallons to the Bushel.

All Salts whether of the product of this Kingdom or Wales, or brought from Scotland, brought in, Landed or put on Shore before due Entry be made, and payment of Duties by the said Act imposed shall be forseited; one Moiety to the Seizer or Informer. Every Collector for the

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faid Duties should after the 17 of May 1696, provide at every Salt-work a sufficient Beam, Scale and weights or stillard, and fix the same in some convenient place about such Salt-work, for the weighing all Salt that shall be delivered from the said Salt-work, and one or more sufficient person shall be Sworn before a Justice of Peace, without see, for the due and true weighing the same, which weighers shall be satisfied and paid for their pains by the Collector of the said Duties.

Officers shall deliver gratis, and without delay, such, and so many Warrants and permits to each carrier of Salt, as he shall demand, for the several Horse-loads of Salt as he shall load at one time, and at one Salt-work, that all persons selling Salt (except Foreign Salt) after the 17 of May 1696, shall sell the same after the Rate of 56 pound weight to the Bushel and so propotionably, under the penalty of forseiting the Sum of 5 l. to the Informer.

The Lord Mayor and Court of Aldermen of London, to set reasonable Rates upon Salt, to be sold there and within the Bills of Mortality, and the Justices of Peace within their respective Counties, Cities and Places, and to alter and correct the same (if necessary) by writing duly made and published; which Rates and Prices so set, altered and corrected, are to be observed, accepted, received and taken by

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all persons selling Salt in England, Wales or Berwick; and if any person shall sell any Salt, at any higher price or rate, or refuse to sell at the prices and rates aforefaid; fuch person shall for every such Offence forfeit the Sum of 5 1. to be levied out of the Goods and Chatrels of such Offender by Distress and Sale thereof, by Warrant under the Hand and Seal of the faid Mayor of London, or of any Justice of Peace of the place, where such Offence shall be committed, or distress, and in default thereof, it shall be lawful by the ike Warrant as aforesaid to Imprison the Offender, till he shall pay the said Sum of 51. one Moiety for the use of the King, he other for the Informer or Profecutor.

Note, Stat. 8 & 9 W. 3. Gives 2 d. per Gallon more for Salt imported, and 1 d.

for homemade.

### Schoolmasters.

By Stat. 23 Eliz. 1. None shall keep 2 Schoolmaster which absents himself from Church, or not allowed by the Bishop or Ordinary, in pain of 10 l. for every Month he so keeps him, and such Schoolmaster shall be for ever after disabled to teach Youth, and shall suffer one whole years Imprisonment without Bail; one shird of the Forseiture to the Queen, an other-

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other to the Poor of the Parish, and the other to the Prosecutor.

Persons restrained by 17 Car. 2. cap. 2. and others not first taking, and subscribing the Oath therein mentioned, and not frequenting Divine Service established by Law, shall not teach any School by themselves or others, on pain to forseit 40 l. one third to the King, another to the Poor of the Parish, and the other to the Prosecutor.

By Stat. 13 & 14 Car. 2. cap. 4. School-masters of publick or private Schools, and Tutors of Youth in private Families, shall at, or before their respective Admissions, subscribe the Declaration therein mentioned, in default whereof they shall be utterly deprived of their places ipso facto: And such Schoolmasters and private Tutors, teaching any Youth before License from the Archbishop or Ordinary of the Diocess, and before such Subscription shall for the first Offence, suffer three Months Imprisonment, and for the second the like Imprisonment, and forfeit 5 l.

### Silkt browers.

By Stat. 19 H. 7.21. None shall bring, or cause to be brought into England any Silk wrought (by it self or with other Stuff) Ribbon, Laces, Girdles, Cauls, Corses, Tissues or Points, in pain to forseit.

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forfeit the same or the value thereof, to be divided betwixt the King and the Seisor or Prosecutor: But all other Silk (both wrought and raw) may be imported and

fold at pleasure.

Stat. 13 & 14 Car. 2. cap. 15. None shall exercise the Trade of Silk-throwers, unless such as have served seven years Apprentiship thereto, on pain to forseit 40 s. for every Month, the one half to the King, the other to him that will Sue in any Court of Record, or before the Justices of Oyer and Terminer, or Justices of the Peace in the Quarter Sessions.

The Masters, Wardens, Assistants and Commonalty of the Company of Silk-throwers in London (which extends to London, Westminister, or within 20 Miles compass) may execute within the Precinct aforesaid, all Authorities granted by this Act, or their Letters Patents of Incorpora-

tion.

Silkwinders and Doublers, Purloyning, Embezelling, Pawning, Selling or Detaining Silk delivered to them to wind or double, they and their Journymen, Buyers and Receivers of such Silk, being convicted by Confession or Oath of one Witness before a Justice of Peace, or Chief Officer of the City or Town Corporate where, &c. shall make such recompence for Damages and Charges, not exceeding what the party grieved shall prove he is endam-

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ce g is endamaged and hath expended, as the faid Justice or, &c. shall appoint, and in default of Satisfaction within 14 days after Conviction, shall be Whipt or set in the Stocks. See after.

Also, Freemen of the Company may imploy Native Subjects, and no others to double and wind Silk, tho they have not served 7 years as Apprentices: But the Corporation shall not by virtute of this Act make Ordinances, to set Rates on throwing of Silk.

By Stat. 20 Car. 2. cap. 6. A By-law made by the Company of Silk Throwers in London, Stinting the Freemen of the said Company, not to work with above 160 Spindles at one time, and the Assistants not with above 240, is made null and void, and the Company disabled from making any By-law, which shall limit the number of the Utensels about the said Mystery.

Alfo, No By law made or to be made by the said Company, shall confine any Freeman, to take a less number than three

Apprentices at any time.

5 & 6 W. & M. Seff. 2. cap. 14. Provides for the Commissioners of the Customs Marking and Sealing Lustrings and Alamodes then imported, and to be imported, and that those imported after May 1694, and not Sealed and Marked shall be forseited, and the Importers or Possessor

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thereof, subject to such and the like Penalties and Forseitures as Importers of French Goods; and Counterseiters of such Marks and Seals, to forseit 500 l. to any that will Sue for the same, in any of their Majesties Courts of Record at Westmin-

Aer.

The Stat. 6 & 7 W. 3, cap. 18. Gives a penalty of 100 l. for every Offence, by such as deal, buy, sell or send beyond the Seas, Alamodes and Lustrings not Marked at the Custom-bouse, or by the Lustring Company, one half to the King, the other to him that will Sue, &c. and the buyer that discovers it within a year shall be discharged, and shall have one Moiety of the Sum imposed on the party so sel-

ling.

By Stat. 8 & 9 Will. 3. For the further incouragment of the Manufacture of Lufrings and Alamodes, It is Enacted, That Importers of Foreign Alamodes and Lustrings from beyond Seas into England, Wales or Berwick, without paying the Duty imposed for them, or importing, fuch as are prohibited, or that shall by way of Insurance, or otherwise undertake or agree to deliver, or in pursuance of any undertaking, &c. shall deliver any such Goods, and the person who shall agree to pay any rewards for infuring, or conveying any fuch, or shall knowingly take the same into his Possession, may be profecuted

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fecuted therefore in any Action, Suit or Information, and thereupon a Capias in the first Process specifying the penalty sued for, shall issue; and such person shall give good Bail by natural born Subjects, persons naturalized or Denizens, to the Officer to appear at the Return of the Writ, and at the time of Appearance give sufficient Bail, by such persons as aforesaid, to answer and pay the Forseitures and Penalties incurred for such Offence in case he shall be Convicted, or else to yield his Body to Prison.

By the said Act, All black Alamodes and Lustrings wheresoever Manusactured, which shall be found in the possession of any person not Marked and Sealed with the Custom-House Mark or Seal, or of the Royal Lustring Company, shall be forseited, and may be Seised, whether the same have been before such Seizure, bought or sold or not, and the Person in whose Possession they are found, shall incur all the penalties contained.

No Alamodes or Lustrings Seised and Forseited by vertue of any Law, shall be consumed or used in this Kingdom, but shall be Exported again and not Sold, or disposed, but on Condition to be Exported, they shall immediately upon Seisure, be carryed to the Custom-House Ware-House in London, and if Forseited, be there sold by Inch of Candle on Condition to be Ex-

ported,

ported, and be carryed on Ship-board in order to Exportation, and that not untill the Buyer gives Security to Export them, and not again Land them in England, Wales, or Berwick, and no allowance of drawing

back Duty by the Exporter.

Also such persons as shall imbezil, pawn, sell or detain any Silk delivered to them to warp, wind, or work up, or after the same is wrought up, and also all and every Receivers and Buyers, or takers to pawn of the same, shall be subject to all the penalties and forseitures, oc. provided by the 13 6 14 and by the 26 Car. 2. for Regulating the Trade of Silk Throwing.

Weavers who had such Alamodes and Lustrings by them, as were Manusactured here, and unseal'd, &c. were before the first of May, to have them Seal'd gratis by the Company; And for preventing the Sale of others under colour thereof, they are to give an account weekly to the Company to whom they have Sold them so Sealed, &c. under penalty of double the value for every omission, to be recovered as the other penalties to be inslicted by this Act; and the Company are to keep the Register of the said Sales.

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#### Skinners.

No Merchant or other, shall Dress or cause to be Dressed in his House, or by any Workman, (being no Skinner) appointed by him for that purpose, any black Cony Skins of this Realm, nor Transport any such, or pack them to be Transported, before they be Tawed, and duly wrought by such as are Artizan-Skinners, or Tawers under them, in pain to forseit them, or the value thereof.

No Merchant shall buy or contract for any Cony-skins or Lamb-skins, under the number of a 1000 black Cony-skins, 2000 gray Cony-skins, and 2000 Lamb-skins at one and the same time, to be so bought and delivered intirely together, and not by parcels, except they be bought by the Artizan Skinners: Neither shall the Merchant sell them again in less parcels than aforesaid, (unless to the Artizan Skinners) in pain to forseit the same, or the value thereof.

None shall Retain any Servant, Journyman or Apprentice, to work in Trade of a Skinner, unless he himself hath served Seven years as an Apprentice in the same Trade, in pain to forfeit the double value of his Ware so wrought.

The forfeitures aforesaid are to be divided betwixt the King and the Seisor or Prosecutor.

### Soap-Sellers.

to be as followeth, viz. every empty Bar-training rel to contain 32 Gallone and W. rel to contain 32 Gallons, and Weight 26 Stock-pounds; the Content of the half Barrel to Enach be 16 Gallons, and the Weight 13 pounds, direct and the Content of the Firken 8 Gallons, fice, and the Weight 6 pounds and an half, in ployr pain to forfeit for every Vessel otherwise such ordered, 3 s. 4 d. The Wardens of the fer, Mystery of Coopers within the City of Bills London ( taking with them an Officer of Conthe Mayor) shall have power to Search and Gage all Vessels made for Ale, Beer and Soap, to be put to Sale within London and the Suburbs, and within two Miles compals without the Suburbs ( as well within the Liberties, as without ) and to examine their Contents and Weight, and (being found right) to mark them with St. Antony's Cros; which Searchers shall have for their Fee, a Farthing for every Vessel, to be paid by the Owner thereof, and may retain the Vessel until the Fee be paid: And if any be found Defective, they have power to amend or burn them, and the Owner of fuch Defective Vessels, shall forseit 12 d.

In other places where there is no Wardens, the Head Officer shall do it, and shall have the like power and advantages as those

of London.

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### Stock-jobbers and Brokers.

essels By A& 8 & 9 Willielmi tertij, for Re-Bar- fraining the number and ill practice of ht 26 Stock-jobbers and pretended Brokers, It is rel to Enacted, That no Person whatsoever shall ands, directly or indirectly use or exercise the Oflons, fice, Trade, Mystery, Occupation or Emf, in ployment of a Broker, or Act or Deal as wife fuch within the Cities of London, Westminthe fer, or Borough of Southwark, or Weekly of Bills of Mortality, in making Bargains and of Contracts between Merchants and Merchants, or between Merchants and Tradefmen, or others concerning their Wares and Merchandises to be Bought or Sold, or taken up by Exchange, &c. or concerning Tallies or Orders, Bills of Credit, or Tickets payable at the Receipt of the Exchequer or publick Offices, or concerning Bank Bills, or the Companies Stock, or any Members share, until such Person be Licenfed by the Lord Mayor and Court of Aldermen of London, and shall have taken the Oath in the Act appointed, and the Oath in the Act primo Willielmi & Maria, and Subscribe the Affociation, and enter into Bond of 500 l. to execute his Office without fraud, oc.

That there shall not be above 100 such at one time: That their Names and Habitations shall be set up on the Royal Exchange,

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change, and Guild-Hall London; And if any Person not being so admitted, shall directly or indirectly exercise the said Office or Employment of a Broker, he shall for every such Offence- forfeit 500 l. over and above all other forfeitures that he shall in-

eur by virtue of this Act.

Such Person as knowingly makes use or employs such an unlicensed Broker or Stockjobber, forfeits 500 l. and he that acts as such in the discounting of Tallies, Exchequer or Bank-Bills, or Notes, or in Stockjobbing, or Selling of Bank Stock, or any other Interest or Securities upon Fond or Fonds granted by Parliament, shall forseit 500 l. and being legally Convicted thereof, shall stand in the Pillory three several days, one hour in each day.

The Sworn Broker is to keep a Register-Book of all his Contracts and Bargains between Party and Party, and enter the same within three days, and the parties Names, to the end he may produce the same when lawfully required, upon forfeiture of 50 l.

for every Omission.

If he takes above Ten Shillings per Cent for Brokage, he forfeits 10 l. for every Offence.

Each Broker is to carry about him a Silver Medal, with his Majetties Coat of Arms thereon, and on the Reverse, the Arms of the City of London, with the Brokers Name, which Medal he shall produce at the concluding

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concluding of every Bargain by him to the parties concern'd, or to such as shall be present, upon pain of forty Shillings for every omission.

If any fuch Broker shall directly or indirectly deal for himself, in the Exchange or Remittance of Moneys, or shall buy any Tallies, Orders, Bill, or share or interest in any Joynt Stock to be Affigned or Transferred to his own use, or buy any Goods, Wares or Merchandizes, to Sell again for his own Benefit or Advantage, or shall make any Gain or Profit in Buying or Selling any Goods over and above the Brokage allowed by this Act, he or they so offending, shall forfeit 200 l. and being Convicted of such Offence, shall be for ever incapable to Trade, Act, or Deal as a Broker for any Person or Persons whatsoever.

The Sworn Broker is forthwith (after his knowledge thereof) to discover other Stockjobbers and Receivers of Præmiums contrary to this Act, to the end they may be prosecuted: If he neglect or conceal such, upon proof thereof before the Lord Mayor and Court of Aldermen, he may by them be Displaced, and shall ever after be incapable to be a Broker, or to Act or Deal as such.

All Penalties and Forfeitures given or granted by this Act, shall be Recovered by Action of Debt, Bill, Plaint or Informa-

tion,

tion, in any of his Majesties Courts of Westminster. One Moyety to his Majesty, the other to him that shall sue for the same.

This Act to continue from the first of May 1697. for three years, and from thence to the end of the next Session of Par-

liament.

No Person for Buying or Selling of Cattel, Corn, or any other Provisions or Coal shall be esteemed a Broker, within the mean-

ing of this Act.

Also no Sworn Broker after the first of May 1697. until the end of the next Selsion of Parliament, shall Act or Deal, or drive any Bargain or Contract, to Buy or Sell for Money, any Tallies or other Securities, upon any Fund or Funds granted by Parliament, unless he or they shall be Licensed so to do by the Lords Commissioners of the Treasury, or any three of them, under the penalty of 500 l. to the uses aforesaid, to be recovered in manner as is aforesaid.

Note that by an Act made 8 & 9 W. 3. for making good the Deficiencies of several Funds, and for enlarging the Capital Stock of England, It is Enacted, That for five years a ster the 10th of June 1697. or before the end of the then next Session of Parliament, no Person shall give or take directly or indirectly for any Tally or Order, above 6 per Cent more than the

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le st Interest thereof, under the penalty of treble the value of the Principal, and to suffer as an Extortioner.

Also every Broker or Sollicitor, who shall after the Tenth of June, take above 2 s. 6 d. for the Brokridge of 100 l. shall forseit 20 l. and contracting for any Pramium contrary to this Act, shall forseit 500 l. and suffer as an Extortioner.

#### Tilemakers.

Stat. 17. E. 4. 4. Tile-Earth shall be cast up before the first of November, shired and turned before the first of February, and not made into Tiles, before the first of March, and shall likewise be tryed and severed from Stones, Maln, Marle, and Chalk.

A plain Tile shall contain in length sen Inches and an half, in breadth six Inches and a quarter, and in thickness half an Inch half a quarter, at least: A Roof or Cross Tile in length, thirteen Inches, and in thickness as before, with convenient deepness accordingly; a Gutter and a Corner Tile in length ten Inches and an half, with a convenient thickness, breadth and deepness.

If any shall Sell Tile otherwise made, he shall forseit to the buyer double the value thereof, to be recovered by Action of Debt, and besides shall make Fine and Ransom at the Kings Will.

Justices

Justices of Peace shall Hear and Determine these Defaults and Offences, as well at the Suit of the King, as of the party grieved, and shall not set less Fine upon an Offender of this Act, than after the rate of 5 s. for every Thousand of plain Tile, 6 s. 8 d. for every Hundred of Room Tile, and 2 s. for every Hundred of Corner or Gutter Tile.

The said Justices of Peace have also Authority to appoint Searchers of Tile, who shall diligently execute that Office, in pain to for seit to the King for every default 10 s. and they shall have of every Tilemaker for such Search, after the Rate of 1 d. for every Thousand of plain Tile, a half permy for every Hundred of Roof Tile, and a farthing for every Hundred of Corner and Gutter Tile; and shall make presentment of all Defaults sound at the next Sessions, which shall be as effectual in Law, as the presentment of Twelve Men.

None shall put Tile to Sale before Search be made, in pain to forfeit the same; and the Justices of Peace have also power to hear and determine in the Defaults of the

faid Searchers.

## Vintners and Wine-Coopers.

By the Stat. 4. Ed. 3.12. None shall Sell Wines but at a reasonable price, according to the price at the Ports from whence they come,

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ome, allowing the expence of their Cariage, to the places where they are Sold. and Trial shall be made of such Wines Ofwice a year, viz. at Easter and Michae 0 lmas. But 37 H. 8. 23. fays betwixt the oth of November, and the last day of Roof December (if need require,) by the Lords Cor of Towns and their Bailiffs, and likewife by Mayors and Bailiffs, and all corrupt Au Wines shall be poured out, and the Vessel broken, &c.

and be fold in England, at the price of Gaffuch toign and Rhanish W. toign and Rhenish Wines are Sold for, very and not above, on pain to forfeit the

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for far-By Stat. 28 H.8.14. None shall fell Wine and in grofs, at other prices, than the Chancelons, cil, &c. shall set, so as they cause them to the be written, and openly proclaimed in Chanery in Term-time, or else in the City, Boand fold in Gross. He that Sells otherwise, forto feirs 40 l. for every Vessel Sold, to be dithe rided (in a Corporation ) betwirt the King and the Profecutor.

Also Justices of Peace and Head Officers, have power to Hear and Determine the Defaults of all fuch as Sell Wine in Gross or Sell by Retail, contrary to this Act.

By 37 H.8.23. If any refuse to Sell their Wines according to 28 H. 8. 14. in

London,

London, the Mayor, Recorder, and two Antient Aldermen, being no Vintners, and in other places, the Mayor, Bailiffs, Aldermen, and other Officers, whereof the Chief Officer is to be one, may enter the Houses of such Persons, and Sell their Wines at

the prices so affeffed as aforefaid.

By 7 E. 6. 5. None shall Sell Wine by Retail in any other places than in Cities, Burroughs, Port Towns, or Market Towns, or in Gravesend, Sittingborn, Tuxford or Bagshot, in pain of 10 l. per diem, for every day they sell otherwise; none shall sell Wine by Retail in any City, Borough, or Corporation, without License of the Common Councel, Aldermen, Burgesses or Commonalty there, nor in any other City, Town, &c. not Corporate, without License from the Justices in Sessions, in pain of 5 l. per diem.

The said Officers or Justices shall not License above two in one place to sell as a foresaid, in pain of 5 l. apiece, but certain places in the Statute are excepted, as London 40. York 8. Norwich 4. Westminster 3. Bristol 6. Lincoln 3. Hull 4. Shrewsbury 3. Exeter 4. Salisbury 3. Gloucester 4. Westebester 4. Hereford East 3. Worcester 3. Southampton 3. Canterbury 14. Issuich 3. Winchester 3. Oxford 3. Cambridge 4. Col-

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None shall Sell Wine by Retail to be spent in his or their Mansion House, or in any other

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ether place in their Tenure, by any Colour, Craft or Engine, in pain of 10 %.

The Forseitures are between the King and the Prosecutor, the Suit to be prosecuted within a year.

By 12 Car. 2. 15. No Officer appointed to grant Licenses for Selling Wines, shall receive any Fees or Rewards for the same, other than 5 s. for a Licence, 4 d. for an Acquittance, and 6 d. for a Bond, in pain of 10 l.

None Selling Wines in Gross, shall abuse or mix any of them with other Ingredients, in pain of 10 l. and 40 pound for every person Selling such mixed, corrupted or abused Wines by Retail.

No Spanish or Sweet Wines, shall be sold by Retail for above 8 d. the Quart, no Rhenish Wines for above 12 d. the Quart, and so proportionably for more or less quantity, in pain of 5 l. for any quantity so sold.

The several forseitures are betwirt the King and the Prosecutor.

Provided the Lord Chancellor, &c. may alter or fet the prices of Wines yearly, and in default of fuch setting prices, the Rates set by this Act, to continue under the afore-faid penalties. But see after

By 1 W. & M. Seff. 1 cap. 34. for preventing Importation of French Goods, and fince continued, as has been before observed, 'Tis Enacted,

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Tha,

That none shall sell at, or demand a greater price for any French Wines, or so Reputed, or other Wines mixt with French Wines, after the 10th day of September, 1689. to the 11th day of September 1690. than 12 d. by the Quart, and after the 10th day of September 1690. 6 d. by the Quart, and no more upon pain to forfeit for every Quart 5 l. for the first Offence to the Informer, and 10 l. for the second; and every other Offence, to be recovered by Action of Debt, Bill, Plaint or Information.

That after the 10th day of September 1689. no Retailer of Wines should utter them other than in Measures made of Pewter, and Sealed according to the Statute, on pain to forseit 5 l. for every such offence to the Informer, to be Recovered as a foresaid.

That if any Merchant, Vintner, Wine-Cooper, or other person selling Wines by Whole-sale, or Retail, shall Corrupt or Adulterate any Wine, or shall utter any Wine Corrupted or Adulterated, they shall forseit 300 l. for every such Offence, the one Moiety to their Majesties, and the other to him that will Seize or Sue for the same, by Action of Debt, Bill, Plaint or Information, &c. and shall suffer three Months Imprisonment.

By Stat. 2. If any persons after the first of February W. & M. 12690, should utter by retail, by Glass Self-206.14. Botrles, or by any other retail Measure, not made of Pewter, and sealed according to

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Law, any Wines or other Liquor, or shall fell the same for a greater price than by the faid Act is appointed, and shall be convicted by Confession, or the Oath of two Witnesses before a Justice of Peace, being protecuted within thirty days after the Offence committed, they shall forfeit 50%. for every such Offence, which if not paid upon demand, shall be levied by Distress and Sale of Goods, by fuch Justices Warrant to the Constable, Headborough, &c. the Money so levied to be given to the Informer, and for want of Distress, the Offender to be committed to the Common Gaol till payment of the penalty, and all necessary Costs to be taxed by the Justice or Justices, before whom the Conviction was.

But Offenders punished by virtute of this Act, shall not incur the penalty of any former Law for the same Offence; and no Writs of Certiorari shall supersede, or remove any Proceedings by virtue of this Act.

## Upholsters

None shall put to Sale in Fairs or Mar. Stat. 11. kets, any Featherbeds, Bolsters, or Pillars, H.7. 19.3 except such as are stuffed with one fort of stuff, viz. dry pulled Feathers, or clean Down, and not with scalded Feathers, Fen, Down or any other unlawful corrupt stuff, in pain M. 3.

to forfeit the same. Howbeit any (for their private use) may make or cause to be made, any such unlawful stuff or wares, so as the same be not exposed to Sale in Fairs or M rkets, upon the like pain: Also Quilts, Mattresses and Cussions, shall be stuffed with one fort of stuff only, viz. clean Wool, or clean Flocks, and not with Morse, Hair, Fendown, Neats Hair, Goats Hair, or other unlawful stuff, in pain to storfeit the same.

Stat. 5 6

None shall make ( to the intent to Sell, or offer to be Sold any Featherbed, Bolster or Pillow, except the same be stuffed with dry pulled Feathers, or clean Down only, without mingling of scalded Feathers, Fen Down, Thistle Down, Sand, Lime Gravel, or other unlawful or corrupt stuff, in pain to forseit the same ( so offred to be sold, or the value thereof.

None shall make (to the intent to Sell or offer to be Sold) any Quilt, Mattress or Cussions stuffed with any other stuff than Feathers, Wool, or Flocks alone, in pain to forseit the same (so sold or put to Sale) or the value thereof.

The forfeitures aforesaid, are to be divided betwixt the King and the Prosecu-

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### Wax-Chandlers.

Stat. I'I H. 6. 16. No Wax-Chandlers shall Sell or put to Sale any Candle or other wares made of Wax at dearer rate than that he may have only, 4 di in every pound of wares above the common price of plain Wax, in pain to forfeit all such Wares put to Sale, and the value of them Sold, and besides to make fine to the King.

Justices of Peace, Mayors, Bailits and Stewards of Franchises, have power to examine and search concerning the Breach of this Law, and also to hear and determine the

Offences committed against it.

Stat. 23 El.8. None in mingling or making of Wax, shall use or cause to be used, any deceit by mixture or mingling the same with Rosin, Tallow, Turpentine, or other deceitful thing, to the intent to Sell it, or to put it to Sale, in pain to forseit the same: And if such deceitful Wax happen to be Sold, before it be Discovered, the Melter or Procurer thereof, shall forseit for every pound thereof 2 s. to be divided betwixt the Queen and the Party deceived, if he will Sue; but if not, then to the Prosecutor.

Every melter or maker up of unwrought Wax, shall have a stamp or mark of the breadth of a sixpence, wherein two Letters of his Surname shall be graven, and with this shall Stamp every such piece of Wax

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Triangularly in three places, upon the out. fide of every fuch piece, in pain to forfeit the value of every such piece fold, or put

to fale not fo stamped.

None shall melt Mix, Work, Sell, or put to Sale, any wrought Wax, Stuff or Wares wrought with Wax, but with good and pure stuff, fit for such work, and sealed with the workers stamp, to the end he may be known, in pain to forfeit all corrupt Wares otherwise wrought, and so sold or put to sale; to be divided as aforesaid.

None shall sell or put to sale any false or mingled Wax, in pain to forfeit the same;

to be divided as before.

All Casks filled with Honey, shall be by the seller thereof marked with two Letters, standing for his Name and Surname, each Letter being an Inch and an half in length at least, and burnt upon the Head of each Cask with an hot Iron, in pain to forfeit 6 s. 8 d. for every Cask of Honey fold or put to fale, and not fo marked.

None shall fill, sell, or put to sale, any Cask of Honey for a Barrel, Kilderkin or Firkin, unless they contain as followeth, viz. the Barrel 32 Gallons wine measure, the Kilderkin 16, and the Firkin 8 in pain to forfeit for every half Gallon fo lacking 5 1, together with the Cask and Honey therein

contained, to be divided as before.

But this Act as to the making of Wax, shall not extend to any felling the Wax of

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their own Bees in open Market, nor toany Servant mingling or corrupting Wax by the Command of his Master, so as he will confess them.

None shall Counterfeit anothers Mark nor Stamp therewith, without the Owners . consent, in pain to forfeit for every such Offence 5 s. to be divided as before; and in case he be not able to pay it, to be fet upon the Pillory in the next Market Town . to the place where he offends, and to fuffor three Months Imprisonment without Bail

## Wood-Owners, and Wood-Mongers.

Stat. 35 H. 8. 17. In every feveral Wood, called Coppice or Underwood, which shall be felled at 24 years growth, or under, there shall be left unfelled for every Acre thereof 12 Standils of Oak; and in case there shall not be so many Oaks, that number shall be made up of Elm, Ash, Asp, standels. or Beech, which Standils or Storers, shall not be cut down until they shall bear ten Inches Square within three foot of the ground; on pain that every Owner of such Woods, shall forfeit for every Standil not fo left 2 s. 6. d. and also for every such Standil to left, and afterwards cut down as much underwood: Both which forfeitures shall be divided betwixt the King and the Profecutor. I mine My 272 vo nedwold

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Underwoods felled at 14 years growth or under, shall during four years next after the 20th of April, after their felling be preserved from Destruction of Cattel; on pain that the Owner thereof, shall forfeit for every Rood thereof unsenced, for every Month 3 s. 4 d. And underwoods above 14 years growth, and under 24, being so felled, shall during 6 years next after the 20th of April, after such felling be so preserved as aforesaid, upon the like pain.

None shall convert into Pasture or Tillage, any such underwood or Coppice containing two Acres or above, and being two furlongs distant from the House of the Owners thereof, or from the House from whence such wood doth appertain, on pain to forseit. 40 se every Acre so conver-

ted.

Coppice.

Standils.

14

The Owner of Coppices above twenty four years growth, shall at the felling there of, leave 12 such Standils of Oak, or otherwise of Elm, Ash, Beech, or Asp, as afores said, on pain to forfeit 6 s. 8 d. for every Standil not so lest; and shall not cut them down, before they be of two years growth, on pain of 6 s. 8 d. for every one so cut down. And farther, shall preserve such underwood seven years, after their felling from the Destruction of Cattel by sencing, on pain to forseit for every Rood thereof unsenced, for every Month 3 s. 4 d.

Howbeit

Howbeit the Owner of such Underwoods may Fell such Standils aforesaid, for his own use for Building, Repairing, Inclosing and maintaining of Houses, Orchards or Gardens; or for Pailing or Railing, or Inclosing of Parks, Forests, Chases or other Grounds, or for repairing of Waterworks, Dams, Bridges, Floodgates or other Vessels, not-

withstanding this Act:

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Where there is such a Wood or Coppice, wherein others have Common, the Lord (owner of the Soyl) shall not Fell or Cutthe same, (except to his own use) before he and the. Commoners shall agree in the. fetting a fourth part thereof, to be feverally inclosed for the Lords use; and in case they cannot agree thereupon, two Justices of Peace appointed by the more part of the Justices in Sessions, shall have power to call together twelve of the Commoners and Inhabitants there, and with the Lord : and their consent to let out the fourth part thereof, to be severally inclosed by the faid Lord, within one Month after, and then to be felled at his Pleasure, and also to be subject to the aforesaid Laws of other Coppices, upon fuch penalties as aforefaid only. If any Beast be suffered to come into fuch fourth, within feven years after they are felled, the Owner of fuch Cattle shall forfeit for every Beast 4 s. and if the Owner of fuch Wood or Copice, Cut down any Trees or Under-woods there -

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contrary to the form aforesaid, he shall forseit for every Tree so Cut down 6 s. 8 d.

The faid Forfeitures are to be recovered in any Court of Record, to be divided be-

twixt the King and the Profecutor.

Here during the said seven years next after Felling of such sourth part, the Commoners shall be excluded for commoning therein; so also shall the Lord be debarred to Common in the residue: But after the said seven years expired, both the Lord and Commoners may intercommon in the whole as they did before the Division: Provided, That every one may Fell and Inclose all such his Coppices, or Under-woods in wast Grounds as before this time have used to be inclosed, and preserved for the maintenance of Wood and Under-wood, not withstanding this Act. Vide poster.

The Commoners also (in sase the said Lord do not Fell his fourth part within tour Months after such Division) may Common in the said part until it be Fel-

led.

This Act shall not extend to Under woods in the wild of Kent, Surry and Sulfex, save only to the common Woods there.

Neither shall it extend to any Timber Trees, growing within two Miles of the Sea in Cornwall, dead at the top, or taken by the Kings Commission; neither shall any offender be punishable by this Act, unless he shall s. 8 d. covered ded be-

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he be profecuted within one year after the Offence committed.

None shall break or destroy any Fence or Hedge, made for the saving of any such Woods or Under-woods, in pain of 10 s. neither shall any suffer his Swine (of the age of ten weeks or above to go, or run in any such Grounds or Woods unringed, or unpegged, on pain to forfeit for them 4 d. appiece, which said Forseitures (in the Kings Woods) shall be divided betwixt the King and the sinder; but (in other Woods) betwixt the Owner of the Field and the Prosecutor. Under-wood in a Park shall be preserved by Fencing only 4 years after the Felling thereof.

If such Woods happen to be destroyed by the means of a Stranger, and not by the Owner himself, or by his neglect, the Stranger shall be subject to the penalties of this Act, and not the Owner. Yearling Colts, or Calves may be put into such Woods, within two years after the Felling

thereof.

By Stat. 1 Eliz. 5. None shall convert or Charceal, imploy to Coal or other Fewel, for the &c. making of Iron, any Timber Tree or Trees of Oak, Beech or Ash, of the breadth of a Foot square at the Stubs, and growing with 14 Miles of the Sea, or of any part of the Thames, Severn, Wye, Humber, Dee, Tine, Tees, Trent, or other navigable Rivers, in pain to sorfeit 40 s. for every

Tree so converted, to be divided betwint

the King and the Profecutor.

This Act shall not extend to Suffex, the Wilds of Kent, or the Parishes of Charle wood, Newdigate or Leight in the Wild of Surry.

Woods inclosed.

By Stat. 13 Eliz. 27. All Woods or Coppices, intended by the Statute of 25 H.8. 17.to be inclosed, and in the springs thereof preserved fhall be so saved by the space two years more than in the feveral Clauses of the faid Act is severally limited, accordding to the age of fuch Woods Felled, upon fuch pains as in the faid Act are contained; and none shall put any Cattel ininto any fuch Coppice Woods, from the time of the Fall, until the end of five years, nor from the end of five years any Cattle, but Calves and Yearlings, Colts, only until the end of fix years, if the Wood was under 14. years growth at the last Fall, or until the end of eight years, if it was above 14 years growth; and this Addition shall continue as long in force as the said Statute of 35 H. 8. 17.

By Stat. 23 Eliz. 5. None shall convertinto Coal or other Fewel, for the making of Iron or Iron-metal, any Wood or Under-wood growing within the compass of 22 Miles of London, or the Suburbs thereof, or of the River of Thames from Dorshefter, in the County of Oxon downwards, or within 4 Miles of the foot of

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or Rye, or within 2 Miles of Pemsey, or 3 Miles of Hastings, in pain to forfeit for every load. so converted 40 s. to be divided betwixt the Queen and the Profecus or.

This Act shall not extend to any Woods growing in any fuch part of the Wilds of Surrey, Suffex or Kent, within 22 Miles of London or Thames, as is distant above 18 Miles from London or Thames.

No new Iron-works shall be erected within 22 Miles of London, 14 Miles of Thames, or 4 Miles of the faid Downs, Pemfey, Winchelfey , Haftings or Rye, in pain of 100 l. to be emploied as aforer faid.

This Act shall not extend to the Woods. of Christopher Darrel Gent. in Newdigate in the Wild of Surrey:

By Stat. 27 Eliz. 19. None shall make Iron works. or fet up within the County of Suffex, Surry or Kent, any Iron-mill, Furnace, Finary or Blomary, for the making of Iron or Iron-metal, other than upon fome old Bays or Pens, whereupon such works have been lately standing, or else upon fuch Land where fuch works may be continually furnished with sufficient supply of the parties own Woods, growing upon his own Soyl, being his in Fee-fimple, Feetail, or for Life without impeachment of Waft:

Wast; nor shall convert to Coal or other Fewel, for the making of such Iron or Iron-metal, any found Timber Tree of Oak, Ash or Elm, which shall bear a Footsquare at the stub or any part thereof; or pain to forfeit for every such new work let up 300 l. and for every Timber Tree so converted 40 s. to be divided betwing the King and the Prosecutor.

Hwobeit, the Cops and Offal of such Timber Trees, may be converted to Coal for the purposes aforesaid, within the Wild of Sussex, Surry and Kent, so as it be not within 18 Miles of London, 8 Miles of Thames, 4 Miles of Rye or Winchelsey, 3 Miles of Hastings, or 4 Miles of the Foot of the Downs betwixt Arunde

and Pemsey aforesaid.

The Stat. of 20 Car. 2. eap. 2. Is an Act for the increase and preservation of Timber within the Forest of Dean.

## Wool and Woolmongers.

Wool, at more weight than at 14 pounds to the Stone, on pain to forfeit the double to the party grieved, and to make Fine to the King.

None (Alien or Denizen) shall make any other refuse of Wool, but Cot, Gare or

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Also, none shall buy Wool by these Wool words, Good packing, or the like, on pain packers, that the Broker shall suffer half a years Imprisonment, and the Buyers shall make Fine to the King, and recompence the party grieved his double Damages; neither shall any cause Wools to be cocquetted, but in the Owners name, on pain to forseit the same.

By the 8 H. 6. 22. Every Woolpacker shall make good and due Packing, and neither he or any other shall make any Inwinding within the Fleece at the Rolling thereof, nor put therein any Locks, Pelt-wool, Tar, Sand, Earth, Glass or Dirt, on pain that the party grieved shall have his Action of Trespass and Deceit against such Offenders at the Common Law.

So by Stat. 23 H. 8. 17. None shall wind any Fleece of Wool, not sufficiently rivered or washed, nor wind therein any Clay, Lead, Stones, Sand, Tails, deceitful Locks, Cot, Calls, Combe, Lambswool, or any other thing, whereby the Fleece may be more weighty, to the deceit of the Buyer; in pain that the Seller of any such deceitful Wool, shall forfeit for every such Fleece 6 d. to be divided betwixt the King and the Finder.

But this Act shall not extend to such Counties, where the Inhabitants have not customably used to giver or wash their Sheep,

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Sheep, before they be Shorn, nor to any persons who have used to sell their Wool by tale or number of the Fleeres, and not by

weight.

By Stat. 2 & 2 P. M. 12. Any Inhabitants of Halifax may buy Wools (otherwife than by Ingroffing and Forestalling fo as they carry the same to Halifax, and there sell them to such poor People of that, or other Parishes adjoyning (as to their knowledge) shall work them in Cloth or Yarn; and not to rich Clothiers, nor any other to fell again : But if the Wool-dri ver shall sell his Wools out of Halifax, to fell the same unwrought in Yarn or Cloth, every fuch Offender shall forfeit the double value of the Wool, fo fold or uttered; whereof the King and Queen to have one Moiety, and the Profecutor the other; and Justices of Peace in Sessions have power to hear and determine their Offences

Exportation on.

By Stat. 12 Car. 2. cap. 32. None shall export or load on any Carriage, or lay on board any Vessel to export out of England, Wales, or Town of Berwick, Fersey, Gernsey, Sarke and Alderney or Ireland, into any place out of the places aforesaid, any Sheeps Wool of the growth of the said places, Woolfels, Morlings or Shorlings, Yam made of Wool, Wool-flocks, Fullers-earth or Fullers-clay, on pain to forseit the same, and 20s. for every Sheep, and 3s. for every pound.

Sheep.

to any ound weight of the other Goods; and Vool by he Owners of fuch Ships knowing fuch Ships Offence, to forfeit all their interest in the aid Ships, and Masters and Mariners aflifting thereto, all their Goods, and to have Imprisonment for 3 Months, the one Moiety of which Forfeitures to the King, the other to the Informer Suing in any Court of Record, or before the Justices of Peace, or general Quarter Seffions.

> They that Transport, or cause to be Transported any of the Goods aforesaid. and be thereof convicted, shall be disabled to require any Debt belonging to them.

> Offences against this Act, may be determined in the County where committed, or where such Offenders are apprehended; the Offenders shall not be impeached, unless within a year after the Offence committed. ! See after.

> Any may Seize to their use and the Kings, any of the Goods aforesaid laid on Board or Packed, or Loaded on any Carriage, or laid near any Water to be conveyed into Scotland; but such persons shall not give Evidence, against any that shall be questioned by Virtute of this Act.

All Vessels whereof any Alien, or na- Vessels tural born Subjects, not Inhabiting in England shall be Owner or part Owner, wherein any of the Goods aforesaid shall be Shipped contrary to this Act, shall be forteited to the King. Lambskins ready-dreffed

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and persons therein.

None of the Goods aforefaid, shall be Transported out of England, Wales, Town of Berwick or Ireland into Fersey, Gen. fey, Sarke or Alderney, only Wool from the Port of Scuthampton, for the use of the Inhabitants of those liles , and they that Ship such Wool, shall before hand de liver to the Customer, Controller, Survey or Searcher of the faid Port, a Writing under the Seal of the respective Governours of the faid Isles, or their Deputies purporting, that fuch party is authorifed to export so many number of Tods, and hath entred into sufficient Bond to his Majesties use for landing in that Isle; the Wool fo exported not to exceed these quantities, viz. unto Jersey 2000 Tods of unkeamed Wool, to Gernsey 1000, to Alderney 200, to Sarke 100.

The Customer of the Port of Southampton, shall keep an account of the Wools so permitted to be Loaden, on pain to sorfeit 100 l. to him that will Sue for the same, and to lose his place; and if any of the Governors aforesaid, or their Deputies, make Licence to export more, they shall forfeit 20 l. for every Tod licensed above the Proportions aforesaid. No more than 12 ld shall be taken for Writing such License, and entring a Remembrance of it, on pain of 5 s. for every peny taken over, to the

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By Stat. 12 6 14 Car. 2. cap. 18. If ny persons export out of England, Wales Town of Berwick or Ireland, any from theep or Wool of the growth of the faid of the laces, or any Wool-fels, Morlings, Shorings, Yarn made of Wool, Wool-flocks, Fullers-earth or Fulling-clay, or shall Pack or Load upon any Carriage, or lay on riting Board in any Veffel, any fuch Sheep, Wool, xc. Owners of fuch Vessels, and of Horses. Carts or Carriage, upon which the Sheep or other the Goods aforefaid shall be ex- Exportaported or carried to fuch intent, knowing sion. hereof and consenting thereunto; and also. Masters and Mariners of such Vessels wherein any Sheep, or other the said Goods hall be so exported, or laid on Board to any fuch intent, and all other persons whatloever knowing thereof, and consenting thereto shall be judged Felons: Offences Filons. against this Act shall be tried and determined in the County where such Sheep and other the faid Goods shall be so packed or laid on Board, or where such Offenders shall be apprehended. Peers of the Realm indicted for any Offence made Felony by this Act, shall be tried by there Peers.

But none shall be impeached for any Offence made Felony by this Act, unless within a year after such Offence committed. Proffing None shall press together with any Skrues, Wook

Press.

Press, or other Engines into any Sack, Bag &c. nor shall put or press any Wool of Yarn made of Wool into any Cask of Vessel; nor shall lay, or cause to be last near the Coasts or Shoars of the Seas, or any navigable River, or into any House of place adjoyning thereunto, any such Wool Wool flocks or Yarn made of Wool, to export the same, on pain to forfeit it or the value.

Tobaccopipe-clay. Note also, No Tobacco-pipe-clay shall be exported out of England, Town of Berwick, Ireland or Wales, under the penalty of 3 is for every pound exported, contrary to this Act.

Wool &c.

No Packs, Bags or Casks of Wool, Woolfels, Morlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-Earth Fulling Clay, or Tobacco-pipe Clay, shallbe laid on any Horse, Cart, or other Carriage, or conveyed to or from any place in England, Town of Berwick, Wales or Ireland, but at seasonable Hours, viz. from the 1 ft of March, to the 29th of September yearly, between the hours of four in the Morning, and eight in the Evening; and from the 29th day of September, to the if of March yearly, between 7 in the Morning, and 5 in the Evening, on pain to lose all such Goods, or the value thereof; the one Moiety of all which forfeitures mentioned in this Ast, to be to the use of the King, the other Moiety to the Profecutor.

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Profecutor. This Act shall not make void any penalties or clauses in the Statute of

12 Car. 2. cap. 22.

Owners of any Vessels, or any Master or Mariners knowing of fuch Transportation, that within 4. Months after such Wool knowledge, or after their return into Engto ex- land or Ireland, Town of Berwick or or the Wales, shall give the first Information thereof, before any of the Barons of the Exbe exchequer of England or Ireland, or the Head wick, Officer of any Port, where they shall first arrive, upon Oath of the number and quantity of the Goods so Transported, and by whom, where and in what Vessel, and afterwards shall be ready to prove the fame, shall not be punished for Felony, but shall be subject to all other penalties in this Act contained; and all such Transportation or conveying of the Goods aforesaid, is declared to be a common Nusance. Justices of Asfize, Justices of Goal-Delivery, and Justices of the Peace in their General Quarter-Selfions, may determine the premisses; and all Mayors and other Head Officers of Cities, Boroughs and Towns, not having Juisdiction to try Felony, shall enquire of every Offence within this Act not made Felony.

By Stat. 13 6 14 Car. 2. cap. 19. An Actagainst Importing of Foreign Wool-Cards, Card-Wires, &c. see before Mer-

chants and Merchandizes.

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Stat. 12 W. & M.Seff. 1.cap. 22. Owners of Wool, or their Agents, that shall at any time carry or cause to be carryed, any Wool to any Port or place on the Sea-Coasts, to be conveyed to any other Port or place in England, Wales, or Berwick, from whence the same may be Transport. ed into Foreign Parts, shall first cause a due Entry thereof to be made from the Port from which it shall be intended to be conveyed, containing the Weight, Mark, Numbers thereof, before they carry it within five Miles of any such Port or place, or else fuch Wool found, and the Beafts and Carriages conveying it, shall be forfeited; and the persons conveying, driving or aber ting the same, shall forfeit and suffer as by the Laws and Statutes now in force against the Exportation of Wool.

The foregoing Clause shall not extend to hinder any person from carrying their Wool from the place of Shearing, to their own Dwelling House, &c. though within five Miles of the Sea, fo as within ten days after the Shearing, and before they otherwise dispose of the same, they certifie under their Hands to the Officers of the Customs in the next Port, the quantity thereof, viz. the number of the Fleeces, and where Houfed, and do not remove the same without first certifying the Officer of the next Port, under their Hands of their intention to remove it, three days at least before such re-

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rereval moval, the said Officers to keep and Register such Certificate; but persons neglecting to certifie as asoresaid, or removing their Wool before such Certificate of their ntention, shall be liable to the Penalties of the former Clauses.

Cocquets for carrying Wool from any Port in England, Wales or Berwick, Shall e written upon Paper, and figned by three Officers of fuch Port at least, and Certifiates of Landing them again at any other f the faid Ports, or from Ireland shall be figned; and all fuch Wool, both at hipping and Landing shall be weighed in he presence of the said Officers, giving ich Cocquets and Certificates; and the reight, marks and numbers of fuch Wool hipped and Landed, shall be expressed in oth Cocquets and Certificates. Officers ot observing the directions of this Act, hall be adjudged Abettors of the Transportion, and suffer the penalties contained in he Statutes of the 12th and 14th years of ing Charles the Second, against Transprtation of Wool. No Wool shall be Shipt om Ireland, but from Dublin, Waterld, Yough ball, Kingfale, Cork and progbeda; nor imported from thence, but to Leverpool, Chefter, Bristol, Minead, Barnstable, Biddiford and Exer.

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Clay.

Owners of Ships, Masters and Mariners knowing of the Exportation of any Sheeps Wool, Wool-fels, Morlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth or Tobacco-pipe-clay, contrary to the meaning of this Act, that shall with in three Months after their knowledge thereof, or after their return into England, Ireland, Wales or Berwick, give the first Owners in information thereof, and by whom, where

cused.

formers ex- and in what Veffel, upon Oath before any of the Barons of the Exchequer in England or Ireland, or any three of the Commissioners appointed by this Act, or the head Officer of the Port, where they shall first arrive, and shall be ready to Char justifie and prove the same, shall not be sub ject to the penalties of this or any other Act for the faid Offence, but shall recove and receive such benefits and advantage as are appointed by any precedent Act.

The powers given to the faid Commit sioners shall not hinder any persons lawful ly authorised from Seizing Wool, or Pro secuting Offenders against this or any for

mer Act.

If any Profecution shall be against an person, for what he shall do in pursuance this Act, he may file a common Bail, enter into a common appearance, and pla the general Issue, and give this Act in E dence; and if the Plaintiff be Non-fuit, discontinue, or a Verdict pass against his

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or Judgment upon a Demurrer, the Defendant shall recover treble Costs. A Regi- Treble fter shall be kept at the Custom house Lon- Costs. don, of all Wool imported from Ireland; and of all VVool fent from any Port to another, in this Kingdom, the Weights and Numbers, Ships, Masters Name, Owners Name, and to whom configned. This Act to continue for three years, and from where thence to the end of the next Sessions of pefore Parliament.

But any persons may buy Cloth, Stuffs, cloth, &c. f the Stockings or other Woollen Manufactures, excepted. et, or and export the same, paying the usual Cuthey stoms. And nothing in this Act to avoid the dy to Charters granted to the Levant, Eastland,

other Russia or African Companies.

other Also, 1000 Tods of unkembed Wool Allowance ecover allowed to be Transported from Southamp of Wools on to Guernsey, 2000 for Fersey, 200 for Alderney, and 100 for Sark, more than by the Act of 12 Car. 2. is provided, to be lawful done according to the Directions, and unor Proper the penalties therein appointed and infliny for sted, and on the farther penalty of 20%. or every Tod of Wool, and Forfeiture of ift an he Wool it felf, (one half to the King, ance one quarter the the Informer, and one quar-Bail, or to the Poor of the said Islands) in case of ad pla Transporting or attempting to Transport in E my of the said Wool from the said Islands fuit, for every Offence therein, and that every

of his crion to offending, shall after the first Offence fence be incapable of any Grant of any Wool from the said Port of Southampton, nor ever after have any Warrant granted him for that purpose; the said Penalties to be recovered by him that will Sue for the same, by Action of Debt, Plaint or Information, &c.

By 4 & 5 W. & M. cap. 24. An Act made in the 1st year of their Majesties Reign, Entituled, An Act for the preventing the Exportation of VVool, and encuraging the VVoollen Manufacture of this Kingdom (except such part there as relates to the free Exportation of the Woollen Manufacture,) shall be in force su three years, from the 13th day of February 1692, and from thence to the end of the next Session of Parliament.

Provided, That no Wool shall be in ported from Ireland into the Port of Exer, any thing in this or any former Al

to the contrary notwithstanding.

By 4. 6 5 W. 6 M. cap. 25. If any Vo fel, whereupon Wool is Laden to be Tranported contrary to Law, be taken by an Privateer, on Proof thereof in the Exch quer, the persons interested in the Private shall have a Moiety of the Vessel as Goods, and their Majesties the other Moiet

By Stat. 7 & 8 W. 3. cap. 28. The A made I W. & M. cap. 32. and every class therein (except what is hereby alters explained or repealed) is continued.

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And that so much of the Act of the 12 & 14 Car. 2. cap. 18. as relates, to the making the exportation of Wool Felony, Importatirepealed. Wool may be imported from Ire- on. land to these Ports, White-baven, Leverpool, Chefter, Briftol, Bridg-water, Minebead, Barnstable and Biddiford, and none other.

That all Certificates for the Landing of Certificates Wool, shall be written upon Paper and not Parchment, and not obliterated or interlined. After the first day of May 1696, no Wool, Wool-fells, Mortlings, Shorlings, Yarn made of Wool, Wool-flocks, Earth and Fullers earth or Scouring-clay, shall be car- Clay. ried or conveyed by Land, to or from any place in the Counties next adjoyning to the Kingdom of Scotland, or within five Miles of the Sea-coasts, but between the Sun-rifing and Sun-fetting, under penalty of Forfeiture of the faid Commodities, and the Horses and Carriage emploied in carrying the same. And no Ship or Vessel shall export the same, to any Port beyond the Seas, under the penalty and forfeiture of the faid Vessel, and treble the value thereof, with Vessel, treble Cost of Suit. And the Inhabitants of the Hundred, or place next adjoyning to the faid Kingdom of Scotland, or to the Penalty. Sea Coasts, out or through which any of the faid Commodities shall be carried or exported, shall forfeit 20 % if the Wool fo carried be under to L value, if above, N 3

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then treble the value, and treble the Costs.

All which Forfeitures shall be recovered by him, who shall Sue for the same in any Court of Record at Westminster, where no Essign, &c. shall be allowed, nor more than one Imparlance.

Execution.

Execution for the Informer may be had against two or more of the said Inhabitants; and after such Execution, the Justices of Peace (upon complaint of the party or parties so charged) may at their Quarter Sessions, Assess and Tax ratably, and propotionably all the Towns, Parishes and Hamlets in the said Hundred or place, in the same manner and form as a Hundred ought to be charged in case of Robbery, by the Stat. 27 Eliz. cap. 13. and thereby reimburse the parties charged.

Aiders in Exportation. All persons who shall Aid, Abet or Assist in carrying or exporting any of the said Commodities out of this Realm, (being legally convicted) shall suffer three year Imprisonment; and the Owner of such Wool and other Commodities assoresaid and all that shall be Aiding, Abetting of Assisting in Carrying any of them out of this Kingdom, shall answer and satisfactive the value of all such Forfeitures and Penalties, which such Inhabitants shall be charged with, and treble costs of Suit to be recovered in any Court of Record a Westminster, wherein no Essoign, &c. 10

be allowed, by and in the name of the Clerk of the Peace of such County (without naming his Christian or Surname) to the use of the said Inhabitants, and notwithstanding the Death or Removal of such Clerk of the Peace, the said Suit shall not discontinue, but be prosecuted to Judgment.

Such Actions and Informations shall be Jurytried in any of the Kings Courts of Record, by a Jury of Freeholders of any other County, than that where the fact

was committed.

The first three who have been Aiding, Aiders. but not the Owners, who shall inform informers. thereof to a Justice of Peace, shall not suffer any of the said Penalties and Forseitures.

If any Action or Suit be brought against any Justice of Peace, or other person employed in the Execution of this Act, for any thing done by virtue of this Act, the Action shall be laid in the proper County, and the Desendant may Plead the General General Issue, and give the Special Matter in Evi-Issue. dence; and if the Plaintiff shall be Non-sait or Discontinue, or the Jury find for the Desendant, he shall have treble Costs; and Treble every Suit or Information by virtue of this Costs. Act, shall be commenced within one year after the Fact committed.

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If any person to whom any Forfeitures by this Act is given, shall compound for the same for less than what is hereby given, it shall be also lawful for any other person to Sue and recover the same in manner and form as aforesaid, and the person compounding shall suffer 5 years Imprisonment.

This Act to continue in force for ? years, and from thence to the end of the

next Seffion of Parliament.

#### Worftedmakers.

Weavers

Stat. 7 Eliz.41. Concerns the VVorftedweavers in Norwich.

Calender.

By Stat. 5 H. 8.4. None shall drycalender any VVorsteads, on pain to forfeit for every piece 5 l. neither shall any wet-calender any VVorstead, unless he has Apprentice. ferved 7 years as an Apprentice in that Trade, and be approved by the Mayor of Norwich, and the two Mafters of that Craft in Norwich or Norfolk, upon the like pain of 5 l. for every piece calendred contrary to this Act; to be divided be-

Craft of wet-calendring. Stat. 14 & 15 H. 8. 3. Is concerning the VVorsted weavers in Yarmouth and Lynn.

twixt the King, and the faid Masters of the

By 25 H. 8.5. the Statute of 5 H. 8 & 4 is made perpetual, and none that dyeth VVorfed, Stamins or Says, shall use to

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Calender them, on pain to forefeit for every Calender piece 40 s. to be divided betwixt the King. the Mayor of Norwich, and the Profecutor.

The 12 6 14 Car. 2. cap. 5. concerns the regulating the making of Norwich-Sruffs, and Sealing the same. And amongst other things tis Enacted, That he that counterfeits the Seal, or Seals Stuff with a counterfeit Seal, or removes the Seal from one piece to another foreits 20 s.

Also, they that use the said Trade, not having served as an Apprentice 7 years, Apprentical forfeit 40 s. per Month, half to the King

and half to the Profecutor.

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So they that employ two Apprentices in the faid Trade, shall likewise employ two-Journymen. No Master VVeaver shall set on work above two Apprentices, or any men-Week-boy in a Loom, on pain to forfeit 5 1. for every Month.

Alfo, every VVeaver that shall fet any Weaven Loom on Work, from the 15 of August, to the 15 of Septemb. yearly, shall forfeit 40 1. for every Loom used within that time, &c.

Inf. Thus I have given you the Heads. of the Penal Laws Relating to Men of Trade and Traffick, amongst which are added some things, though not directly tending to them, yet not unfit for your knowledge. It only remains now that I speak of Tradesmen and Artificers in general, and lastly concerning the Informer.

NE

of:

Of Tradesmen and Artificers in gene. ral, and first concerning Aliens and Strangers.

Aliens.

By Stat. 1 R. 3. 9. An Alien Artificer ( not made Denizen,) shall not remain nor exercise any Handicrast in England, unless as Servant to a Subject skilful in the same Art, in pain to forfeit all his Goods.

Cloth. Wool.

No fuch Alien shall here in England, make any Cloth, or put any Wool to work, in pain to forfeit the Cloath so made.

Such an Alien shall here in England, sell his

Wares in Gross, and not by Retail, in pain to forfeit the value of the wares otherwise fold. And being an Handicraft Man, and inhabiting a great House or Chamber, shall Apprentice. not take any Apprentice or Servant to work with him, unless it be his Son or Daughter, or else a Subject born, in pain to forfeit sor

Servent.

ken 20 1.

The forfeitures of this Act are to be divided between the King and the Profect tor.

every Apprentice or Servant otherwise ta

Sprentice.

By Stat. 14 H. 8. 2. No Stranger Art ficer ( Denizen or not Denizen ) shall take any Apprentice but such as is born under the Kings Obeisance, in pain to forseit 10 for every Apprentice otherwise taken, to be divided between the King and the Profect Ior.

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No Alien shall keep above two Journey- Journeymen, except they be born under the Kings Men. Obeilance, upon the like pain, to be divided as aforefaid.

All Strangers, (Denizers or not Denizens ) dwelling within two Miles of London, shall be under the Reformation of the Reforma-Wardens of Handicraft within that City, tion. and of one Substantial Stranger, being an House-holder of the same Craft, to be chofen by the same Wardens.

The faid VVardens, and that one Stran- Mark for ger shall assign a proper mark for Strangers Wares, without taking any thing for the

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The faid Wardens and Strangers, shall have power to Search, View, and reform the Wares of Aliens, made within the

faid precinct.

Smiths, Joyners, and Coopers ( being Ali- Smiths. ens, shall put such marks to their Wares Joyners. before they fell or use them, as the faid Wardens shall appoint, without taking any thing therefore, in pain to forfeit the double value thereof, to be divided between the King and the Profecutor.

Coopers.

If upon Search, the Wardens and Strangers shall find any wares to be deceitfully made, they shall be forfeited, viz. the one half Forfeiture. to the King, and the other half to the finder, and shall be recovered by Action of Detinue.

War-

## A Wiew of the Benal Laws

Obedience.

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Wardens and Mafters of Fellowships of Handicrafts in other Corporations and Bailiffs, and other Head Officers in Towns, lacking Wardens, have like power to Reform Strangers; and Strangers are bound to yield Obedience unto them, upon the like pains as aforesaid.

Bedre s.

Here if a Stranger be wronged, upon Complaint to the Chancellor and Treasurer of England, or to the Justice of Affise, he shall have Redress.

Places exwepted.

This Act shall not extend to Strangers dwelling in Oxford, Cambridge, and St. Martin le Grand London.

Refusal to Mark.

If the Wardens with a Stranger, or the Officers of Corporations or other Towns. refuse to mark a Strangers Wares, being required to to do, in such case it shall be lawful for fuch a Stranger to fell his Wares, this Act notwithstanding.

This Act shall only extend to Joyners, Pouch-makers, Coopers, and Black-Smiths, and to no other craft.

kers Joyner.

Glafier.

Pouchme-

Any of the Kings Subjects having Land worth 100 h per Annum, may retain any Stranger that is a Joyner or Glasser to work for him; this Act notwithstanding:

Stat. 21 H. & 16. A Decree made in the Star-Chamber the 20th of February, 20, H.S. concerning Artificers Strangers, was confirmed, the Substance of which

Decree bereafter followeth. vin.

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A Stranger Artificer, shall not keep in his House at one time, above two Strangers Servants; howbeit a Subject Artificer may servants retain as many Strangers as he pleaseth, to be his Servants or Apprentices.

Strangers Artificers may take as many English-Men to be their Servants or Ap- Appren-

prentices, as they can get.

Strangers Artificers; shall be contributary Contribut with English Artificers, and in case they re- tions. fule, they shall not only lose the benefit of this Decree, but likewise be prohibited to exercise their Craft, in pain of incurring the forfeitures of the above faid Sta-

Strangers Artificers, shall (upon lawful warning) go with the Wardens and other Governors of the same Company to make Refusal to Search, which if they refuse, and that be make proved before the Chancellor of England, Search, Mayor of London, or (in other places before the Chief Officers), they shall no longer exercise their Profession in England, in pain of the forfeitures aforefaid.

Stranger Artificers shall (upon lawful notice) make Oath to be true to the King, Oath. and Obedient to his Laws, and to make due Search with others, and not to discover to any beforehand, the intention of Search; and being Sworn, shall pay for their Commission, as the Subjects of England do

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A Wiew of the Benal Laws

House or Shop.

No Strangers but Denizens, shall keep House or Shop, in pain of incurring the penalties of the aforesaid Statutes.

Affembly.

Strangers shall not affemble, but in the Common Halls of their Mysteries, upon the penalties aforesaid.

Cordwain-

This Decree and A& (for so much as concerns Cordwainers) shall extend as well to such as work old Stuff, as those that work new.

Places ex-

This Decree and Act shall not extend to strangers (Denizens, or not Denizens,) dwelling in Oxford, Cambridge, or St Martin Le Grand London.

Baker. Brewer, Surgeon, Serivener excepted. By Stat. 22 H. 8. 13. No stranger being a Common Baker, Brewer, Surgeon or Scrivener, shall be accounted an Handicrast Man, within the Penal Statutes made a gainst strangers Artificers.

By Stat. 32 H. 8. 16. No Alien Artificer (Denizen or not Denizen) in Oxford, Cambridge, or St. Martin Le Grand London, shall keep above two strangers Servants at one time, in pain to incur the penalties of 14 Hen. 8.2. every Alien (not Denizen) within the Kings Dominions, shall be bound to observe the Laws of this Kingdom.

Servants.

No Subject or Stranger (using no Handicrast) shall Retain above four Servants strangers, in pain to forseit for every Servant above that number 10 l.

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The above-faid forfeitures shall be divided betwixt the King and the Profecutor This Act shall not be prejudicial to a Proclamation published by the King, concerning the payment of Customs for strangers to endure for certain years. Lords of the Parliament may keep fix strangers born at one time.

No stranger (except Denizens) shall Leafe. take a Lease of any House or Shop, in pain to forfeit 5 1. And none shall let them such Leafes upon the like pain; each of them to be divided betwixt the King and the Pro-

fecutor, and such Lease to be void.

Stat. 2 & 3 E. 6.15. Artificers, Work- on by Artimen and Labourers, that conspire together ficers, &c. concerning their Work or Wages, every of them to Conspiring, shall forfeit for the first Offence 10 1. to the King, and if he pay not within the fix days after Conviction by witness, Confession, or otherwise, he shall suffer 20 days Imprisonment, and during that time, shall have no Sustenance but Bread and Water: For the second Offence, he shall forfeit 20 1. and that not paid within fix days as aforesaid, shall suffer the Pillory; and for the third Offence, shall forfeit 40 l. and that not paid within the faid time, shall again suffer the Pillory, lose one of his Ears, and ever after be taken as a Man Infamous, and not to be Credited.

Justices

# A Wiew of the Penal Laws

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Justices of Assize, Justices of Peace Mayors, Bailists and Stewards in Sessions, Leets and Courts have power to hear and dertermine these Offences: But Quare, Whether this Branch of this Statute be not repealed, by the general words of 5 Eliz. 4 following, Revived and continued 22623, Car. 2. cap. 19 & 1 fac. 2. cap. 17.

General Statute. By the said Stat. 5 Eliz.4. so much of all Statutes made, and every branch thereof, as touch or concern the hiring, keeping, departing, Working, Wages, or order of Servants, Workmen, Artificers, Apprentices and Labourers, or any of them, and Penalties and Forfeitures concerning the same are repealed: Howbeit the said Statutes and every Branch and Matter contained therein not repealed by this Act shall remain in sorce.

Clothiers, Weavers, Tucker, Fuller, Clothwork-&c-

That none shall Hire or be Hired for less than one whole year in the Arts of Clothier, Woollen-IVeaver, Tucker, Fuller, Choathworker, Shereman, Dyer, Hosier, Taylor, Shoemaker, Tanner, Pewterer, Baker, Glover, Cutler, Smith, Farrier, Currier, Sadler, Spur-rier, Turner, Capper, Hat or Feltmaker, Fletcher, Arrow-Head-maker, Butcher, Cook, Miller.

Merchants, Mercers, Drapers, Goldfmishs & 6.

Also, Merchants, Mercers, Drapers, Goldsmiths, Iron-mongers, Embroiderers and Clothiers dwelling in Corporate Towns, shall take no Apprentices, but their own Children, or such whose Parents have In-

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heritance or Freehold of 40 s. per annum. to be certified under the Hands and Seals of three Justices of Peace, of the County where such Lands lie, to the Head Officer of the faid Corporation, who shall cause the fame to be Recorded. Artificers in the Market Towns not Corporate, being Housholders, and of the Age of 24 years, may take other Artificers Children to serve as Apprentices.

Merchants, Mercers, Drapers, Goldmiths, Ironmongers, Embroiderers and Clothiers dwelling in Market-towns not Corporate, fhall take no Apprentices but their own Children, or such whose Parents have Inheritance of Freehold worth ? L. per annum, to be certified under the Hands and Seals of three Justices of Peace as a-

forefaid.

But Smiths, Wheel-rights, Plough wrights, Smiths. Mill-wrights, Carpenters, Rough-masons, Wheel-Plaisterers, Sawyers, Lime-burners, Brick- wrights, makers, Brick-layers, Tilers, Salters, He Carpenters, lyers, Tilemakers, Linen-weavers, Turners, kers, &c. Coopers, Millers, Earthen-potters, Woollenweavers (of Housewifes Cloth only) Fullers, Wood burners, Thatchers and Shinglers may take Apprentices though their Parents have no Land.

None which hath not ferved an Apprentice 7 years, in any Art or Mystery now 7 Years used, shall use the same or set any to work therein, which hath not served out that

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### A Wiew of the Penal Laws

time, in pain to forfeit 40 s. for every Month. Woollen Cloth-weavers (other than such as Inhabit Cumberland, West moreland, Lancaster or Wales, or in Cities, Corporations or Market-Towns,) shall make no Apprentices, nor teach any their Art fave their own Children, or fuch whose Parents have Inheritance or Freehold worth 2 l. per annum, to be certified under the Hands and Seals of three Justices of Peace, of the County where the Lands be, in pain to forfeit 40 s. for every Month, and the Indenture shall within three Months be Registred in the Parish where the Master dwells, the Fee of which Registring is 4.4. Every Cloth-worker, Fuller, Sheer-man, Weaver, Tayler and Shoe-maker, Shall for every three Apprentices keep one Journy. man, and for every Apprentice above three, another Journyman, in pain of 10 1.

This Act shall not prejudice Worfted makers nor VV or fted-weavers, in Norwich

and Norfolk.

But note, That by Stat. made 5 & 6 VV. & M. Seff. 2. cap. 3. Reciting the Clause of the Act of 5 Eliz. 4. as to the VVoollen Cloth-weaver taking Apprentices unless, &c. forasmuch as such part of the said Act hath been found prejudicial to the Clothing Trade, It is thereby Enacted, That so much of the said Act is thereby declared to be Repealed and made void, as if the same had never been made.

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By the faid Act & Eliz. 4. Every person Persons unmarried, or under the Age of 30 years compellatho' Married, having been brought up in in the faid any of the Arts abovefaid, by the space Acts. of three years, and not worth in Lands 40 s. per annum, or in Goods 10 l. and fo allowed under the Hands and Seals of two Justices of Peace, the Head Officer or two discreet Burgesses of the place, where the party fo brought up hath lived by the space of one whole year, not already retained in Husbandry, the Arts above faid, or any other Art or Mystery, or in any Service, upon request of any person using the same Art, shall not refuse to serve for the Wages limited by the Statute, and being so retained, shall not depart from his or their Service, without one Quarters warning before two lawful Witnesses, or some lawful cause to be proved before one Justice of Peace or Head Officer, in pain of Imprifonment without Bail, but upon Submission to perform the Service, they shall be inlarged without Fees; which commitment and inlargment two Justices of Peace, the Head Officer or two Burgesses as aforesaid, unto whom Complaint shall be made, have power to command as in their discretion, upon due proof shall be thought fit; Every person between the Age of 12 and 60, not already retained in any Service, nor imployed about Husbandry, Mines, Glass, Coal, Fishing, Sailing, Provison of Grain or Meal.

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Husbandry Meal for London, nor Gentlemen born nor Scholars in any University or School, nor worth 40 s. per annum in Lands, or 10 l. in Goods, nor having a Father, Mother or other Ancestor (whose Heir he is) worth 10 l. per annum in Lands, or 40 l. in Goods, shall be compelled to serve in Husbandry, and shall not depart that fervice otherwise than afore limited, upon pain above expressed.

Also, none shall put away his Servant

aL

before the end of his Term, without a Warning. Quarters warning or some lawful cause, to be proved by two fufficient Witnesses, before the Justice of Oyer and Terminer, Justices of Affize, Justices of Peace in Seffions, a head Officer, or two discreet Aldermen or Burgesses, in pain of 40 s No Servant having ferved in one City or Town, shall get to serve in another with-Testimoni. out a Testimonial, viz. in a Town Corporate, under the Seals of the Town, and two Housholders there, and in the Country under the Seals of the Constable or Constables, and two Housholders there: which Testimonial shall be made and delivered to the party, and also Registred by the Minister of the place where the Servant dwelt, for which the Minister is to have two pence.

The Form.

The Form of the Testimonial is this Memorandum, That A. B. Servant to C. D. of J. in the County of E. Husbandman

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(or Taylor, &c.) in the faid County, is licensed to depart from his said Master, and is at his Liberty to serve else where, according to the Statutes in that case made and

provided, in witness, &c.

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The Servant which sheweth not such Testimonial to the chief Officer in a Corporation, or to the Minister, or some Officer in any other place where he is to dwell, shall suffer Imprisonment till he Imprisonprocure one, and if he procure not one ment. within twenty one days after his Imprisonment, or shew a false one, he shall be punished by Whipping as a Vagabond, and the Master for-Master that retains a Servant without such feits 5 % a Testimonal shall forseit 5 %.

Those that work by the Day or Week, Time of shall continue at work betwixt the middle work. of March, and the middle of September, from five in the Morning, till betwixt feven and eight at Night, except two hours allowed for Breakfast, Dinner and Drinking, and half an hour for Sleeping, from the midst of May, to the middle of August, and all the rest of the year from Twilight to Twilight, except an hour and an half allowed for Breakfast and Dinner, in pain to have one penny defalked out of their Wages for every hours abience; none that takes work by great, shall leave the same before it be quite finished, except for not payment of his Wages, the Queens Service, License of the Work-master, or other law-

ful cause, in pain to suffer one Month Im prisonment without Bail, and to forfeit 5 1 to the party grieved, besides his Cost and Damages, to be recovered at the Common Law for the loss sustained.

License to depart.

Also, none retained in Service to work shall depart without License, in pain of one

Months Imprisonment. Wages.

Such Wages of Labourers, Artificers and others as have been formerly rated, or concern Husbandry, shall be yearly affessed for the County by the Sheriff and Tuffices of Peace in Seffions, and in Corporations by the Head Officer, at their Easter Seffions, or within fix Weeks after, and before the 12th of July following, shall

Certificate. be certified under their Hands and Seals in the Chancery; whereupon the Lord Chancellor or Keeper shall send down printed Proclamations thereof into the County and Corporation, before the first of September then next following, which the said Sheriff, Justices and Head Officer shall before Michaelmas after, cause to be inrolled and proclaimed; but here where the old Rates shall be certified to stand, no Proclamation is needful.

A Justice of Peace or Chief Officer, which shall be absent at taxing of Wages, (being not letted by fickness, or some other reasonable cause to be allowed by the Justices upon Affidavit,) shall forfeit 10 %.

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None shall give greater Wages than those so rated as aforesaid, in pain of 5 l. and ten day Imprisonments without Bail; and if Taking any person shall be convicted before two more Justices of Peace or a Head Officer, of Wages, taking more Wages, he shall suffer twenty one days Imprisonment without Bail.

Every Retainer, Promise Gift, or Pay-promise ment of Wages, or other things contrary void. to the true meaning of this Act, and every Writing and Bond to be made for that pur-

pose, shall be void.

Also, if any Servant or other shall be convicted before two Justices of Peace, or a Chief Officer as aforesaid, by his own Confession or the Testimony of two honest Men, to have Assaulted his Master, Mi-Assault by stress, Dame or Overseer, he shall suffer Servants one years Imprisonment or less, if the Justice or Chief Officer shall think sit; and if the party shall be thought to deserve a more severe Punishment, then to receive such open Punishment (Life and Member Punishexcepted) as the Justices in Sessions, or the ment. Chief Officer, and sour of the discreetest Men in the Corporation, shall think convenient.

Artificers shall work in Hay time and Harvest Harvest, in pain of Imprisonment in the time. Stocks two days and one night, which the Constable shall inslict upon them, in pain of 40 s.

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Labourers

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# A Wiew of the Penal Laws

It shall be lawful for Labourers (other than fuch as are retained in Service according to this Statute) to go to other Shire to work in Hay time and Harvest, so that they bring with them a Testimonial under the Hand of one Justice of Peace or a Chief Officer, testifying that they have not fufficient work in the place where they lived the Winter before; for which Telt. monial they shall only pay a peny.

Woman Married.

Every unmarried Woman fit to serve being 12 years old, and under 40, shall by two Justices of Peace, a Chief Officer or two Burgesses, be compellable to serve for convenient time and wages, in pain of Imprisonment.

Apprentice di Y.

Husbandmen being Housholders, and to be raken using half a Plough-land at least in Tilin Husban- lage, may take by Indenture Apprentices above the Age of 21 years at least, or 24 years, as the parties can agree.

Houshold-CIS.

Every Housholder at the Age of 23 years, dwelling in a Town Corporate, and using there any Art or Mystery, shall and may take an Apprentice for 7 years at least; Howbeit, the Term ought not to expire before the Apprentice accomplish the Age of 24 years.

Refi fal to ferve.

Also, if any person fit to make an Apprentice, refuse to serve upon demand, one Justice of Peace, Mayor or Head Officer, unto whom complaint thereof shall be made, have power to commit him to Ward,

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ccor. hires And if there shall arise any difference Difference that betwixt the Master and the Apprentice, reconciled, one Justice of Peace in the orange of a Mayor, or Head Officer in a Corporation one Justice of Peace in the County, or e not or Market-town , shall have power to reconcile it if he can, if not, then to bind concile it if he can, if not, then to bind over the Master to the next Quarter Seffions; where the Justices of Peace, or any to be four of them (one of the Quorum,) or the Head Officer, with the consent of three of the Brethren, shall upon default found to the Master, in Writing under their Hands and Seals, have power to discharge the Apprentice of his Service; and if the the Apprentice of his Service; and if the and lefault be found in the Apprentice, then to Til nflict such Punishment upon him, as in

tices heir Discretion shall be thought sit.
r 24 None shall be bound to enter into Ap- Age. rentiship, other than such as be under the

23 Age of twenty one years. Justices of Peace in their several Divisins, and Head Officers in Towns Corpoate, shall meet twice every year, viz. nce betwixt Michaelmas and Christmas. nd another time betwixt Lady Day and didsummer, to give order for the due ex-Ap cution of this Statute.

The Forfeitures aforesaid (except those therwise limited ) shall be divided betwixt he Queen and the Prosecutor, and all Justies of Peace, or any two of them (1 Qu.)

and every Head Officer shall have power to Hear and Determine the Breach of this Statute upon Indictment or otherwise, and to award Process and Execution accordingly; and shall yearly in Michaelmas Term by Estreat, certifice into the Exchequer, the Fines which accrue upon this Statute, in manner as they ought to do in other cases

This Act shall not Restrain the Cities of London and Norwich, from taking of Ap-

prentices as in time past.

Indenture

None shall take Apprentices otherwike than is limited by this Act, in pain of 10k and all Indentures otherwise made, shall be void.

Note, An Apprentice shall be bound by his Indentures, notwithstanding his Non-age

of 21 years.

The Inhabitants of Godalming in Surry, may take and use such Arts and Apprentics, as Market Towns may do by vertue of this Act.

The Fines accruing by this Act in Towns Corporate, shall be appointed by the Head Officer, to be Collected as other Fines and Americaments, for the use of the same Towns.

Apprentice apprehend ed.

When an Apprentice departs from his Masters Service, into another County of Corporation, it shall be lawful for the Justice of Peace or Head Officer, there being no Justice of Peace to direct a Capias to the Sheriff, or other Chief Officer for his Apprehension

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ustice ore to prehension, and being taken, the said Juflice of Peace of Head Officer, shall commit him to Ward, until he give good Security that he will honestly serve out his Time.

Notwithstanding this Act, High Conflables have power to keep their Statute Sessions, so that they there do nothing Repugnant thereunto.

Also by 1 Jac. 1.6. the Statute of 5 Eliz. Wages 4. shall give power to the Justices of Peace, rated to have power to Rate the Wages of

any Labourers, Weavers, Spinsters, and Work-Men, and Work-Women whatso-

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Also, The Rating of such Wages in Sessions by more part of the Justices within any particular Riding or Division, where General Sessions have been used severally to be kept) shall be as effectual as those Rated at the General Sessions of the whole County.

The Sheriffs and Head Officers within heir several Precincts, shall cause the said Rates to be proclaimed in such sort, as if hey had been sent down printed from the Lord Keeper, which all Persons shall be bound to observe, upon the pains and petalties mentioned in the said Statute of

Eliz. 4.

A Clothier or other Convicted before the Clothieruffices of Affize or Peace in Sessions, or beore two Justices of Peace ( & Qu. ) by his

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own Confession, or Evidence of two Witnesses, not to have observed the said Rates so appointed, shall forfeit to s. to the parrygrieved, to be levyed upon Warrant from the same Justices by Distress and Saleof his Goods

None shall incur any Danger for not making Certificate of the Rates into the Chan-

cery according to 5 Eliz. 4.

Clothier, Justice.

A Clothier being also a Justice of Peace, shall not be a Rater of Wages of any Artificer, that depends upon making of Cloth

It may also here be observed, That

Monopslies discouraged.

By Stat. 21 Fac. 1. cap. 3. All Monopolies and Commissions of, or for the buying, Telling, making, working or using of any thing within the Kings Dominions, or any other Monopolies, or of Power, Liberry or Faculty, to dispence with any others, or to give License or Toleration to do, use or exercise any thing against the Tenor of any Law or Statute, or to give or make any Warrant for such Dispensation, License or Toleration, or to agree or compound for any Penalty or Forfer ture limited by any State, or for any Grant or Promise of any benefit, or profit of any fuch Penalty or Forfeiture, or Sum of Money, before Judgment thereupon had; and all Proclamations, Inhibitions, Restraints, Warrants of Affistance, and other matters and things whatfoever, any way tending to the erecting, strengthening or countenancing thereof, are contrary to the

Laws of the Realm, and shall be void and of none effect.

And that all the matters and things aforesaid shall be examined, heard, tried and determined, by the Common Laws of this Realm and not otherwise; and all persons are prohibited to use, exercise or

put them in Ure.

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That the party grieved by pretext of any of the matters or things aforesaid, shall recover (in one of the Courts at Westminster) treble Damages and double Costs; in which Suit no Essoin, or other delay be shall be allowed, nor any more than one Imparlance, And if any person, after notice given, that such Action depending is grounded upon this Statute, shall cause it to best aied or Action de delaied before Judgment by any Order, laied Warrant, Power or Authority (fave only of the Court where it is depending )or shall after Judgment had, cause or procure the Execution thereof to be staid, or delaied by colour or means of any fuch Order, Warrant, Power or Authority, fave only by Writ of Error or Attaint, he or they fooffending shall incur a Pramunire.

That Letters Patents of new Manufaetures heretofore granted for twenty one years, or under, to the Inventers thereof. where they are not contrary to Law, or any way prejudicial to the Commonwealth are faved. So also where such as had been theretofore granted, for more than twenty

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one years, good for twenty one years from the date of their Patent, notwithstanding this Statute; neither shall this Act extend to Grants of new Manufactures hereafter to be made, to the inventers thereof for fourteen years or under, being not contrary to the Law, or Prejudicial to the Commonwealth, nor to Grants heretofore confirmed by Act of Parliament, so long as such Acts continue in force; nor to any Warrant of Privy Seal granted, or to be granted to the Justices of the Kings-Bench or Common-Pleas, to the Barons of the Exchequer, Justices of Affize, of Oyer and Terminer, Gaol-delivery, or Peace, or other Juftices, to compound for the Forfeitures of any Penal Statute, depending in Suit before them, after Plea pleaded by the party Defendant.

That this Act should not be prejudicial to London, or any other Corporation, for any Grant made them concerning their Customs, nor any Corporation, Company, or Fellowship of any Art, Trade, Mystery; nor to any Company or Society of Merchants.

Neither shall it extend to any Grant of Priviledge for Printing, Digging or Making, or Compounding of Salt-peter of Gun-powder, or Casting or Making of Ordinance, or Shot for Ordinance; nor to any Grant of any Office then in being, other than such as are decreed by the Kings Proclama-

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clamation, nor to the Liberties of Newscaftle concerning the Sea-ceals; nor to the Licensing of Taverns, so the King receive the benefit; nor to the Patent granted to Sir Robert Manssield for making Glass; nor to that granted to James Maxwel Esquire, for Transportation of Calves-skins; nor to that of Abrabam Baker for making of Salt; nor to that of Edward Lord Dudley, for melting of Iron Oar, and making the same into Castworks.

#### Of Informers and Informations.

Lastly, Landlord, Concerning Informers, that you may take the better heed thereto, and not think that I was willing to run them over in hast, and because you take me for such a person, (tho' it be only by Report) therefore I chose the rather to speak of them in the Conclusion.

By the Statute of 18 Eliz. 5. It is En-How he acted, That an Informer shall exhibit shall exhibit suit in proper person, and pursue bit, &c. it by himself, or by his Attorney in Court, and that by way of Information or Origi-

nal Action, and shall have no Deputy, and all this in pain of 10 l. and the Pillory. Pillory. Also, That a note of the time of exhi-Note of

biting the Information shall be truly taken, the time. - and from thenceforth it shall be taken to be of Record, before which time no Process shall Issue out upon it.

That

## A view of the Benal Laws

Informers name indorfed.

That the Clark that makes out the Process shall Indorse the Informers name, and also the Statute upon which the Information is granted, in pain of 40s.

Tryal.

That no Jury shall appear at Westminster, for a Tryal upon any Penal Law, when the Offence was committed above 30 Miles from Westminster, except the Attorney General for some reasonable cause require the same.

Composition.

That no Informer shall compound with any Defendant before answer, nor then, but by confent of Court, in pain of 10 l and the Pillory.

Pillory.

That where the Informer delays or difcontinues his Suit, or otherwise is Non-suit or overthrown, the Court shall assign Cost to the Defendants, to be immediately levied by Execution iffuing out of the same

Cofts to the Defendant.

Justices of Oyer and Terminer, Affize and Peace in their Seffions have power to hear and determin these Offences.

But this Act shall not restrain Actions brought for Maintenance, Champerty, buying of Title or Imbracery, nor any certain Person or Body politick, to whom any Forfeiture or Penalty is specially limited, nor certain Officers, who have lawfully used to exhibit Information.

By the Statute of 29 Eliz. 5. If any shall be fued upon any Penal Law in the Kings-Bench, Common Pleas or the Exche-

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quer, where fuch person is bailable by Law. or may appear by Attorney, the person so fued, shall at the day contained in the first Process, appear by Attorney to defend the fame, and shall not be urged to perfonal appearance, or to put in Bail to answer the Bail. fame.

But by Stat. 31 Eliz. 10. The faid Clause of 29 Eliz 5. Shall only extend to natural born Subjects, or free Denizens and Subjects or none others.

Also by Stat: 31 Eliz 5: It is Enacted, That Informers heretofore restrained by Order of any Court, shall not pursue Actions popular, (that is, an Action which is given to the King, and fuch other person as will Sue, and not to the party grieved.)

That in Popular Actions the Offence shall Action be laid to be done in the County, where Popular. indeed it was done; otherwise, if the De.

fendant Traverse and disprove that point, Particular the Plaintiff shall be barred.

But this Act doth not restrain Officers, which have lawfully used to exhibit Informations, nor Actions brought for Champerty, buying of Titles, Extortion, Offences against the Statute of I Eliz. 11: (concerning the right landing of Merchandize, County. and Custom of Sweet-wines) concealing of Customs, &c: corrupt Usury, Forestalling, Regrating or Ingroffing, when the penalty shall amount to 20 1. or above: For in all these Cases the Offence may be laid in any County.

County.

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# A wiew of the Penal Laws

Time of Profecution.

Also, Popular Actions where the King only hath the Forseiture, shall be commenced within two years, where he hath only a part, and the Informer the rest, within one year: But this is to be understood, where a shorter time is not limited by any Statute.

Alfo, All Suits for using unlawful Games, or any Art or Mystery without being brought up in it, and for not having Bows and Arrows, according to the Statutes, shall be prosecuted at the Assizes or Sessions of the County, or at the Leet, within which the Offence was committed, and not elsewhere.

County,

By Stat. 21 Jac. 4. Actions Popular which may be presented before Justices of Assize, Niss prius, Gaol Delivery, Oyer and Terminer or of Peace, shall be prosecuted only in the Counties where the Offences were committed, except for Recusancy, Maintenance, Champerty, buying of Titles, concealing of Customs, &c. or Transporting of Gold, Silver, Wool, Woolsels or Leather.

That upon default of proving, that the Offence was committed in the same County, the Defendant shall be found not Guilty.

That the Informer shall make Oath, that the Offence was committed in the same County, where the Action is laid, and within one year before the Suit Commenced.

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That the Defendant in a Popular Action General may plead the General Issue, and give the Issue. Special matter in Evidence.

Also, by a Stat. 4 H. 7. cap. 28. It is Enacted, That Recovery in an Action Popular, by Covin, shall be no Bar in an Coving Action Sued for the same thing Bona side. Bona sides. And here the Desendant attainted of Collusion, shall suffer two years imprisonment, to be prosecuted within one year.

And that no Release of a Common per-Release.

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Yet no Collusion is in this case averrable, where the point of the same Action, or the Collusion it self hath been tried by Verdict.

By Stat. 13 & 14 Car. 2. cap. 11. Con-Compositicerning Customs, It is Enacted, That no on-Informer or Seizer shall compound under one third, of the appraised value, upon loss of his Office.

I also observed unto you before, when I spoke of French Goods, That if any Informer shall by Fraud or Collusion, desist or delay, Prosecution he shall forfeit 500 l. For the rest I refer you to the Table, &c.

Inform. Thus much, I suppose (Landlord) may be sufficient to satisfie you in these Matters, and I hope by this time you perceive the necessity of those persons, which are called Informers, who also, as

others,

others, are subject to Penalties and Forfeitures for their missions; And these things being made publick, what cause has any Man to complain, if he be taken in a Transgression, since that which gives others information to prosecute him, leaves him not without a caution how to prevent it.

Landlord, Sir, I yield my felf convinfed, and withal acknowledge these things are from time to time made publick, as well by the printed Statutes at large, a also in several of their Abridgments: Yet few Men are at leisure to Read over the first, and not many throughly to peruse the latter. Besides I observe, you have mentioned several that are lately Enacted, and that in the whole you have chiefly touch'd upon those which concern Men of Trade and Traffick, wherefore I think, you may do well to publish them as a necessary and short Collection, and thereby oblige such who cannot fo readily bring them together, which thing, unless you be otherwise than indifferent, will eafily be granted, but pre-engage ment and sel-fienterest may hinder much.

Inform. Sir, I should gladly do any thing which may tend to the publick advantage, and therefore, that you may perceive I am neither prejudiced no self-interested, I declare to you, that in these Matters I have not hitherto in any thing, either informed or been informed against, tho I have sometimes represented the Informed.

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mer, and spoke at large to others for Cautions sake: Thus far therefore I will agree, as to give you these Heads in Writing, with some sew Additions, and leave you at Liberty to Publish them as you think sit;

Landlord, Sir, I give you many thanks for this favour, and being now fully satisfied of your well meaning, I shall hereafter rather give you the Title of a Reformer, than that of Informer, and will my self (with good leave) become Publisher, of what you shall commit to Writing from your former Discourse.

Inform. Agreed then in good time; I therefore leave you at present, to prepare them accordingly, only adding one word.

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By 4 6 5 W. & M.cap. 18. The Clerk. of the Crown of the Kings-Bench, shall not without express order in open Court, receive or file any Information for Trespasses, Batteries and others Misdemeanors, or Issue any Process thereupon, before he shall have taken, or shall have delivered to him a Recognizance from the Informer, with the place of his Abode, Title or Profesfion, to be entred to the person prosecuted. in 20%, penalty, to profecute with effect, and abide by such Order as the Court shall direct; Which Recognizance the Clerk of. the Crown, or a Justice of Peace of the place, where the cause of any such Information shall arise, may take, and the Clerk

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of the Crown shall Enter the same upon Record, and File Memorandum thereof in some publick place in his Office, that all persons may resort thereunto without Fee.

And if the person against whom such Information shall be exhibited, appear and plead to Issue, and that the Prosecutor shall not at his own charge, within a year after Issue joyned proceed to Trial; or if upon fuch Trial a Verdict pass for the Defendant, or the Informer procure a Noli profequi to be entred, the Court shall award the Defendant Costs; unless the Judge before whom it shall be tried, shall at the Trial in open Court certify upon Record, that there was reasonable cause for such Information: And in case the Costs be not paid within ? Months after they are Taxed, the Defendant shall have the benefit of the said Recognizance, to compel the payment thereof.

This Act shall not extend to Informations, in the name of his Majesties Coroner or Attorney, common called the Master of the Crown Office.

Also upon the Demise of any King or Queen of this Realm, all Pleas to Informations shall stand, without calling the Defendants to plead anew, unless the Defendants request the Court for that purpose, within 5 Months after such Demise.

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Attorney.

If he admits any person to follow a Stat. 3 Jai. Suit in his name, he and the person that 7-follows the Suit, forseit each of them 20 l. to be divided between the King and the party grieved.

## Champerty.

Br Stat. 33 E. 1. Anno Domini 1304. Champarters are such as move Pleas and Suits, or cause them to be moved, either by themselves or others, and prosecute them at their own charge, to have part of the thing in variance, or part of the gains.

By Stat. 20 & 21 Ed. 1. made at Berwick, Any attainted of Champarty shall suffer 3 years Imprisonment, and be

finable at the Kings Will.

Artic super Chart. 1 1.28 E. I. none shall take upon him a business in Suit, with an intent to have part of the thing Sued for, neither shall any upon any such Covenant give up his Right to another; in pain that the taker shall for seit to the King, so much of his Land and Goods as do amount to the value of the part so purchased for such Maintenance, to be recovered by any that will Sue for the King sin Court where the Plea hangeth. This

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# A siew of the Penal Laws

This shall not prohibit any to take Counsel at Law for the Fee, or of his Parents or Friends.

Stat. 33 Ed. 1. Anno Domini 1305. None of our Court of Pleaders, Attorneys, Stewards, Bailiffs or any other shall take any Plea or Suit to Champerty, or for Maintenance, in pain that they together with the consenters thereunto, shall suffer three years Imprisonment, and be Fined at the Kings Will. See after Maintenance.

## Chancery.

By Stat. Car. 2. (Not printed but yet in the Abridgment,) Masters in Chancery that take above the Fees mentioned in that Statute, forseit to the party grieved so much Money as they take contrary to the Statute, and 100 l. to the King, and the party grieved, and to be disabled from the Execution of his Office.

## Chirographers:

By Star. 2 H.4.8. If the Chirographer or Deputy take more than 4.1. for a Fine, he forfeits treble Damages to the party grieved, (to be fued for in the fame Court,) also he forfeits his Office, and is to be fore-judged the Court, and suffer a years Imprisonment.

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By Stat.23 H.8.9. None shall be cited out of Diocess, contrary to that Statute, in pain of 10 l.to be recovered against him that Cites

Eccliastical Judge shall take but 3 d. for a Citation, under the like pain; the Forfeitures are between the King and the Profecutor.

## Corporation.

Corporation shall take but 2 s. 6 d. for 22 H.8.4. the first Entry of an Apprentice, and 3 s. 4 d. for entring his Freedom, in pain to forseit 40 l. between the King and the Prosecutor.

If they by Oath or Bond restrain any 28 H. 8. 5. Apprentice or Journyman from keeping Shop, or take more Money for their Freedom, or the Occupying their Prosession, than 22 H. 8. cap. 4. allows, they forfeit 40 l. to be divided between the King and the Prosecutor. But by the Act 5 & 6. W. & M. Sess. 2. cap. 14. concerning Orphans Money, Apprentices in London are to pay at Binding 2 s. 6 d. and a Freeman admitted 5 s. above the usual Fees.

In Acts to be done by Corporations, the 33 H-2-27, consent of the greater part shall Bind, and the Oath taken by them to the contrary.

Shall not be observed.

Persons

## A Wiew of the Penal Laws

Persons that give such Oath forfeit 5 !, between the the King and the Prosecutor.

## Children fent to Rome, &c.

Stat. 1 fac

If any person sends any Child, or other person being under their Government, beyond Seas, to be instructed in the Popish

Religion, forfeits 100 l.

If the Officers of the Ports permit any Woman or Child under 21 years of Age, (except Souldiers, Ship-boys, Merchants, Factors or Apprentices) to pass the Seas without License from the King, or of six of the Privy Councel under their Hands, they forset their Offices and all their Good; the Owner of the Ship forseits his Ship and Tackle, and every Master or Mariner in the Ship all their Goods, and to suffer a years Imprisonment without Bail.

None out of the Universities shall keep School, except a Freeschool, or in some persons House that is no Recusant, or by the Bishops License, in pain of 40 s. a day; the Forsestures of this Act are to be divided between the King and the Prosecu-

tor. Vide antea School-mafters.

## Customs and Customers.

By St. 3 H.6. 3. No Customer, Collector of Controller shall conceal Customs dulyented and paid, in pain to forfeit treble value of

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Merchandize fo Customed, and to make Fine and Ransom to the King, of which Penalties the Profecutor shall have a third part.

By 20 H.6.5. No Customer, Controller. Searcher, Surveyor of Searcher, or their Clerks, Deputies, Ministers, Factors or Servants, shall have any Ship of their own. use Merchandize, keep a Wharf, Inn or Tavern, or be a Factor, Attorney, or Host to a Merchant, in pain of 40 l. between the King and the Prosecutor.

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3H.7.19. None shall be a Customer, Conroller or Searcher in any City, Burrough or Town, while he is a Common Officer or Deputy to a Common Officer there, in pain to forfeit 40 l. for every 6 Months, he fo Executes both Offices, to be divided between the King and the Profecutor.

By Stat. 1 H. 8.5. He that so Customs Good, that the King thereby loseth his Customs or other Duties, shall forfeit the Goods to the King, and as much to the party grieved as the Goods are worth.

An Action of Debt is given to the party grieved, against him that Customs Goods in his own Name, when they are another Mans, to recover the value of the Goods Customed.

By Stat. 2 & 3 Ed. 6 22. If any offend contrary to the Statute of 1 H.8.5. they shall forfeit all their Goods and Chattels, to be divided betwixt the King and the Profecu-

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# A Wiew of the Wenal Laws

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Falle informotion.

If the Information, whereupon any House shall be Searched prove false, the party injured shall recover full Damages and Costs against the Informer in an Action of Trespass. By Stat. 12 Car. 2. cap. 19.

By 13 & 14 Car. 2. eap. 11. Officer making false Certificates of Goods, that should have been landed, shall lose the Imployment, and forfeit 50 L and suffer one years Imprisonment, and be uncapable of any place of Trust concerning the Customs, and liable to such Corporal Punish ment, as the Court of Exchequer shall think sit; Persons Counterfeiting, Rasing or Falsifying any Cocquet Certificate, of Return, Transire or other Custom book Warrant, shall forseit 100 L and the Cocque &c. shall be void.

Elation.

If any person employed in the Custom demand, or take greater Sums than are duby Law, or put any Merchants or other ont of his turn without order before, a approbation after, from the persons appointed to manage the Custom, or the Superior Officers for the same, or illegally detain the Goods of any, or neglect to make the payments and allowances, or after notice do not give out or execute his Warrant he shall be liable to double Costs and Damages:

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In every Suit wherein any Officers of the Customs, or persons authorised to put in Execution the Act of 12 Car. 2.cap. 18. for encouraging Navigation, or others Acting in Aid of them, shall be prosecuted, they may plead the General Issue, and give this or the said Act in Evidence.

If any Officer shall prosecute to effect the Ship and Goods by him seised or informed against, the persons managing the Customs, or Officers of the Customers, or others deputed by them, or authorized by the Lord Treasurer, or under Treasurer may make Seisure, or inform against such Goods, or bring his Action by Devenerunt, and shall have the benefit of Informers or Seisers.

No Informer or Seiser shall compound under one third of the appraised value, upon loss of of his Office.

If any imployed about the Customs and Bribes Subsidies take any Bribe, or connive at any salie Entry, they shall forfeit an 100 l. and be incapable of any Imployment under the King, and the person giving such Bribe shall forfeit 50 l.

All Suits &c. upon the Act for Encouraging Shiping and Navigation, may be profecuted in the Exchequer, in Suit upon the Act of Tunnage and Poundage, and the faid Act or any other Act concerning Importation of Goods, and if the pro-

perty

# A Wiew of the Penal Laws

perty be claimed by any as Importer; the Onus probands shall be upon such Owner or Claimer.

If the Seisure or Suit be upon the Statute of 12 Car. 2. cap. 18. The Defendant may have the Commission out of the Chancery, to examine Witnesses beyond Sea, which shall be Evidence at Law.

No Writ of Delivery shall be granted out of the Exchequer for Goods seised, but upon good Security, and that for Goods perishable only, or where the Informer shall delay the Trial; one Moiety Forseitures of all the Forseitures by this Act shall be to the King, the other to the Informer.

See more of these penalties about Cuftoms, in this last mentioned Statute at large, and also in the Abridgment Tit. Custom.

## Egyptians.

1, 2.P. & If any Transports into England or Wales, M. 4. any lewd People, calling themselves Egyptians, they forseit 40 l.

Felony (without Clergy) for such lewd People or Egyptians to remain above one Month in England or Wales; they shall not be tried per medietaten lingua, but by the Inhabitants of the County where they are taken.

If any person Sues for any License or Pasport, for any Egyptians to stay in England or Wales, he torfeits 40 l. and such License

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License or Pasport shall be void, extends not to such persons under the Age of 13 years: The Forseitures are between the King and Queen and the Prosecutor.

#### Elections.

If persons having Election, Voice or 31 El. 63 Nomination of any person to have a place in any Church, College, School, Hospital, Hall or other Society, take any Reward for their Election, such place shall be void; and he that hath power to dispose of the same, may dispose thereof, as if the person before elected were actually dead.

If any person of such Societies take reward, or assurance thereof for resigning such place, the party giving the reward, forfeits double value, and the party taking it is made uncapable of such place.

An Incumbent of a Benefice with cure of Souls, that corruptly religns or exchanges the same, or for religning or exchanging takes reward, both the giver and the taker thereof forfeit double value.

If any person takes a Reward (lawful Fees excepted) to make a Minister, or to give Licence to Preach, he forseits 40 l. and the party so made Minister, or Licensed to Preach 10 l. and if he within 7 years after be inducted in any other Benefice, the Induction is void, and the Patron may dispose of the place as if he were dead.

# A Wiew of the Penal Laws

The severval Forfeitures of this Act are between the Queen and the Prosecutor.

Vide postea Tit. Residence and Spiritual persons.

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By Stat. 38 E. 3. 12. If a Juror take any thing of either party to give his Verdict, and be attainted thereof by Process, contained in the Article of Jurors, of the 34 Ed. 3. 8. he shall pay ten times so much as he hath taken, to be divided betwixt the King and the Prosecutor, and all that procure such Inquest, shall incur the like punishment.

If the Juror or Embracer have not where of to make gree, he shall suffer a year Imprisonment; but no Justice or other Officer shall inquire of this Offence, ex Officio.

#### Fairs.

₹ H. 7.9.

An Ordinance made in London, to prohibit Citizens to carry their Wares to Fain and Markets out of the City, is by this Act made void, and none shall trouble any Citizen for so doing, in pain of 40 l. between the King and the Prosecutor.

By 3 1 Eliz. 12. Every false Voucher of a Horse Sold in a Fair, and the Book Kepeer that suffers such Sale to pass, forfeits 5 libetwixt the Queen and the Prosecutor, and the Sale shall be void.

Insuring to Import Goods Probibited.

Whereas by an Act made 4. & 5W.&M. A penalty of 500 l. is laid upon persons Insuring to Import prohibited Goods, or Goods without paying Duties and Cufloms; and also a penalty of 500 h upm any person who shall be so insured; con. for the more easy and certain Recovery of ne 34 the same, by Act made 8th and 9th of much this King, It is Enacted, That it shall and may be lawful for any person or persons to productor, or Profecute, and to Recover the aid penalty by Action of Debt, Bill, Plaint r Information in any of his Majesties Courts of Record at Westminster; whereyear no Effoign, Protection, Priviledge or r Of Wager of Law shall be allowed, nor more

## Fustices of Peace.

None shall be Justice of Peace, unless 18 F.6.11 e hath Lands worth 20 l. per annum, in in to forseit 20 l. between the King nd the Profecutor, Extends not to Men arned in the Law, or Inhabiting Corprations.

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Leet or Court Baron, makes benefit to the value of 12 d. or more by colour of any Grant made of the Profit or Perqui fits of any fuch Court whereof he is Stew ard, he forfeits 40 l. to the King and the Profecutor.

## Linnen Cloth.

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By t Eliz. 12. None shall use any mean whereby Linnen Cloth shall be deceitful a made worse for use; in pain to forseit the same, to suffer a Months Imprisonment and to be fined by the Justices, below whom he shall be condemned.

Justices of Oyer and Terminer, and Affize, and Justices of Peace, or any the of them (1 Qu.) have power to hear a

determine these Offences.

Also, The Informer that shall at a next Sessions of the Peace (after the Staure) to be kept in the County where so Seizure is made; or before two Justice (1 Quor.) make due Information of Offence and Seisure, or procure the Offender to be there Indicted, and bound Recognizance before the said Justices pursue the same Matter with effect, a give Evidence as of right appertained

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ngs ( Ualfo and pay the one Moiety of what he recovers to the Sheriff, or other Accomptant for the Queens use, shall have the other Moiety for his pains; and the Justices before whom these Offences are tried, shall by Estreat certifice the Forseiture into the Exchequer. See before Tit. Clothiers.

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Also, Stat. 28 H 8.4. says, No person whatsoever shall put to Sale any piece of Doulas or Lockram, unless the just length expressed thereupon, in pain to forfeit he same, or the value thereof, to be dided betwirt the King and the Seizor.

#### Maintenance.

By Stat. 1 Eliz. 3. Par. 2.14. None shall laintain Quarrels and Parties in the County, to the Let and disturbance of the mmon Law.

By Stat. 20 E. 3. 4. None shall mainn any Quarrels save their own, in in to have their Body, Lands and Goods be at the Kings pleasure.

By Stat. 1 R. 2.4. No great Officer of King shall maintain Quartels in the unty, in pain of a Fine to be imposed by King and his Council; and no other son, in pain of Imprisonment, and to be at the Kings will; and if he be the ligs Officer or Houshold-servant, he liasso lose his Office.

By Stat. 32 H. 8.9. All Statutes which concern Maintenance, Champerty and Embracery, shall be duly put in Execution. None shall buy any pretented Right of Title to any Land, unless the Seller hat taken the profits thereof, one whole year next before such bargain, in pain that bot buyer and seller shall each of them forse the value of such Land, to be divided by twixt the King and the Prosecutor.

None shall unlawfully maintain any Suor Action, retain any person for Mainte ance, imbrace Jurors, or suborn Witness to the hindrance of Justice, or the procument of Perjury, in pain to forseit for evesuch Offence 10 l.to be divided betwirts

King and the Profecutor.

Howbeit, purchasing of a pretend Title by him, that is already lawfully pa sessed of the thing, whereunto Title made, is lawful.

Proclamations shall be made at the fizes of the Statutes made against Matenance, Champerty, Embracery, and lawful Retainers.

The Offenders against this Act shall profecuted within one year.

#### ·Oatbs.

By Stat. 1 W. & M. Seff. 1. cap. 8.1 Enacted, That from thenceforth the O of Allegiance and Supremacy, by 1 E and E

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2. Jac: or any other Statute are abrogated, and other Oaths by the said Act appointed.

By the 3 & 4 W. & M. cap. 2. The Oath of Supremacy primo Eliz. is Repealed, as to persons residing in Ireland, and

others appointed.

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That if any person before he hath taken the said Oath in the Kings-Bench in Ireland, or at the General Quarter Sessions of the Peace where he Inhabits, and procured the same to be Recorded, and obtain'd a Certificate thereof, shall practise his Calling or Prosession, he shall forseit 500 l. to such as will Sue for the same, and be uncapable to use or exercise such Prosession or Calling.

By Stat. 7 6 8 W. 3. cap. 24. If any person should at any time after the 25th of May 1696, act as a Serjeant at Law, Counfellor at Law, Barister, Advocate, Attorney, Sollicitor, Procter, Clerk or Notary, by practifing in any manner as such in any Court or Courts whatfoever, not having before the time of fuch acting taken in the Court of Chancery or Kings-Bench, or Quarter Sessions of the County where he lives, the Oaths mentioned and appointed to be taken in the Act made 1.W. & M. cap. 8. and made and subscribed the Declaration appointed to be made, and fubscribed in the Act made, 25 Car. 2. cap. 2. fuch persons shall incur all the Pains, Penalties and Forfeitures mentioned in the Statute of Provision and Pramunire made 16 R.2.

By Stat. 7 6 8 W. 2. cap. 27. It is En acted, That all and every person and perfons, who shall refuse to take the Oaths mentioned and appointed to be taken in an Act made, I W. & M. Entituled, An All for the Abrogating of the Oaths of Supre macy and Allegiance, and appointing other Oaths, or either of them when tendred by any persons lawfully Authorised to Al minister the same, or shall refuse or negled to appear, when lawfully summoned for that purpose, shall until be or they have dul taken the said Oaths be liable to Incur forfeit, pay and Suffer the Penalties, For feitures, and disabilites which by the Laws and Statutes now in Force are inflicted of Popish Recusants Convict; and the person fo tendring the faid Oaths, shall upon ever refusal or default of Appearance as afore faid, Record in Parchment the Christia and Sirname, and place of Abode of the person or persons so refusing, or not appear ing, with the time of tender, and shall co tifie the faid Record to the Justices of A fize at their next Seffions in the fame Coun ty, who shall forwith Estreat and certifie the Same into the Exchequer, to be there a tred of Record, that the faid Court of Exchequer may thereupon iffue out Proces against the Lands and Goods of the said person and persons, as against Popish Rece fants Convict; This Act provides furtha For several persons to subscribe the late A Tocia-

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is En ficiation. Provided, That it shall not ex-Daths fice of Inheritance in Fee-fimple or Feein an ail, or any Salary for executing the same, Supre refuse to subscribe the Association as afore-other said, if such person shall substitute a suffied by tient Deputy, which faid Officer is hereby mpowered to do, any usage to the contrary regled notwithstanding, who shall subscribe the result said Affociation in manner as appointed by duly this Act, so as such Deputy shall from time Incur, to time be approved of by the King under For his Privy signet. Laws
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persons

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half opensed that being no plant every By 3 H. 8. 12. Justices of Gaol-delivery, afort or Justices of Peace (one of the Quorum,) f the o inquire for the King; and the Sheriffs, ppear hall return the Pannel so reformed, in of Al Profecutor; and in this case the Kings Par-Court don shall be no bar against the Prosecufie the for. Someties Counties, within the best of

#### most to restood Pardon of suon such

urt of मिली हैं जो एक्ट्राची उत्तर क्रिक्र By 5 H.4. 2. If an Approver shall comfall mit Felony after he is Pardoned, he that procured his Pardon forfeits 100% whose name for that purpose shall be inserted in he said Pardon.

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Note.

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Note, An Approver is one that confesseth Felony done by himself, and also accuse the another, or more, to be guilty of the same.

#### Parliament.

By 23 H.6.11. Wages for Knights ferving in Parliament, must (upon a Writ directed to the Sheriff) be affested in the

County Court.

Sheriffs shall not levy more than is alfessed, in pain to forfeit 20 l. to the King, and 10 l. to the Prosecutor; for the Recovery of which 10 l. the Prosecutor shall have a Scire facias, and if the Desendant make default, or appear and be convict, the Prosecutor shall recover the 10 l. to his use (over and above the 20 l.) and trebe Damages for Costs of Suit.

By 8H.6.7. Knights in Parliament shall be chosen by the more Voices of People dwd ling in the Counties, each of them having Lands or Tenements to the yearly value of the Alfo the Knights so chosen, shall be

resiant within the same Counties.

Here none shall be Choosers or Voten, but such as can expend 40 s. per annum. See after.

Sheriffs doing contrary to this Act, she forfeit 100 1. to the King, &c.

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By 23 H. 6. 15. Sheriffs upon Receipt of Writs, shall make Precepts to Mayors and Bailiffs of Cities and Burroughs infra Comfuum to choose Burgesses to serve in Parliament, and such Head Officers shall return such Precepts to the Sheriff by Indentures, and of the Names of the Burgesses so chosen, and thereupon the Sheriff to Return the Writ, and the Return made by the said Head Officers.

Sheriffs doing contrary to this Act, or any other Act, incur the pain contained in 8 H. 6.7. and besides forseit to the person so chosen, and not duly returned 100 l. more, to be recovered by Action of Debt, &c. against the Sheriff, his Executors and Administrators (or in default) by any other Prosecutors, in which no Essoign, &c. shall be allowed: And if such Head Officers make a salse Return, they forseit 40 l. to the King, and 40 l. more to the person so chosen and not returned, if he prosecute, or else by other Prosecutors as afore-said.

Sheriff not making due Election of Knights, between the Hours of 8 and 11 in the Forencon, and a good Return in manner aforesaid, forseits 100 l. to the King, and 100 l. more to him that will sue for the same.

The party grieved must Sue in three Months, after the beginning of the Parliament, or in his default another person may prosecute.

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If any Knight, Citizen or Burgess returned by the Sheriff be put out, and another be put in his place; the person so put in (if he take the place upon him) forfeits 100 l. to the King, and 100 l. more to the person so iput out, who shall have an Action of Debt for the same, if he Sue in three Months, after the beginning of the Parliament.

By 35 H.8. II. Sheriffs of the 12 Shires, in Wales and County of Monmouth, haveing levied the Fees of Knights in Parliament, shall pay them to Knights within two Months after the Knights shall have delivered unto them their Writs de solutione Feodi militis Parliamenti, in pain of 20 h for the first two Months, and 20 h for every other Month that they detain them, to be recovered by Action of Debt, Bill, Plaint, &c. by the King and the Prosecutor.

The Head Officers also for Cities and Burroughs in the said 12 Shires and County to do the like, for Burgesses after the Writs delivered under the same pain, and in the same manner to be recovered, or to be levied upon their Goods and Chartels.

By Stat. 7. W. 3. cap. 4. If any person here after to be elected to Service in an County, City, Town, Borough, Porto Place within England, Wales or Berwin upon Tweed, after the Teste of the With

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of Summons to Parliament, or Iffuing out ordering of the Writ or Writs of Election, or after any fuch place becomes vacant in the time of the present or any other Parliament, shall or do by himself, or by any other ways or means on his behalf, or at his charge before his Election, for any County, City, Town,&c. directly or indirectly, give, present, or Allow to any person or persons having Voice or Vote to such Election, any Money, Meat, Drink, Entertainment or Provision; or make any Prefent, Gift, Reward or Entertainment, Promile, Agreement, Obligation or Engagement to give or allow any Money, Meat, Drink, &c. to, or for any luch person or persons, or to any such County, City, Town, &c. in General, or to or for their Use, Advantage, Benefit, &c. in order to be elected to serve in Parliament for such County, City, Town, &c.

Every person or persons so doing, shall be disabled and incapacitated upon such Election to serve in Parliament, and demeed no Member, and shall not Act, Sit or have any Vote in Parliament, but be as if he were never returned or elected.

By Stat. 7 & 8 W. 3. cap. 7. All false Returns wilfully made of any Knight of the Shire, Citizen, Burgess, Baron of the Cinque-ports, or other Member, to serve in Parliament, are against Law and hereby prohibited; and if any person shall Return a

Mem-

Member to serve in Parliament, contrary to the last determination in the House of Commons, of the right of Election for such place, the Return so made shall, and is thereby adjudged to be a salse Return, and the party grieved (viz. the party duly elected) by such false Return, may Sue the Officers and persons making or procuring the same, or any of them at his Election, in any Court of Record at Westminster, and shall recover double Damages with costs of Suit.

Alfo, If any Officer shall wilfully, falfly and maliciously Return more persons than are required to be chosen by the Writ or Precept, the like remedy may be had against him, and the party or parties that procure the same, or any of them, by the

party grieved.

That all Contracts, Promises, Bonds and Securities hereaster made or given, to procure any Return of any Member to serve in Parliament, shall be adjudged void; Whoever makes such Contract, &c. or any Gist or Reward to procure such false or double Return, shall forfeit the Sum of 300 s. one third part thereof to the King, another to the Poor of the place concerned, and the other to the Informer, with cols to be recovered in any Courts of Record a Westminster, by Action, Bill, &c. wherein no Essoign, &c. to be allowed, nor monthan one Imparlance.

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The Clerk of the Crown shall enter in a Book kept for that purpose, every single and double Return of any Member or Members to serve in Parliament, which shall come into his Office, or to his Hands, and also every alteration and amendment as shall be made in every such Return, to which Book all persons shall have free access to Search, and take Copies for reasonable Fees, and the party prosecuting fuch Suit, may at any Tryal give in Evidence such Book, or a true Copy thereof, relating to fuch false or double Return, and shall have the like advantage thereby, as if he produced the Record it felf; and if the Clerk of the Crown wilfully omit to perform his Duty in the Premisses, he shall for every such Offence forfeit to the party grieved 500 l. to be recovered as aforesaid, and shall forfeit his said Office, and be for ever incapable of holding the fame.

All Actions upon this Statute to be brought within two years after Cause, and not after. This Act to continue for the space of seven years, and from thence to the end of the next Sessions of Parliament, and no longer.

By 7 & 8 W. 3. cap. 25. Every Free-holder before he be admitted to Poll, if required by any of the Candidates, shall take the Oath therein mentioned, to be Administred by the Sheriff, Under-sheriff or Sworn Clerk.

In Case any person taking the said Oath, shall thereby commit Perjury, and be thereof Convicted; or if any person Suborn any person to take the said Oath, whereby he shall commit Perjury and be thereof Convict, he and they shall incur the pains and penalties. Enacted in the Act made

5 Eliz. cap. 9.

That every Sheriff, Mayor, Baliff or other Officer, to whom the Execution of any Writ or Precept shall belong, for Electing Members of Parliament, shall forthwith deliver to such person or persons as shall desire it, a Copy of the Poll taken at fuch Election, paying reasonable for Writing the same; and every such Officer as aforesaid, for every wilful Offence contrary to this Act, shall forfeit to every party aggrieved the sum of 500 l. to be recovered by him or them, his or their Executors or Administrators, with full softs of Suit, for which he or they may Sue by Action of Debt, Bill, Plaint, &c. in any of the Kings Courts at Westminster, wherein no Essoin, &c. shall be allowed.

No person shall be allowed to have any Vote in Election of Members to serve in Parliament, for, or by reason of any Trust or Mortgage, unless such Trustee or Mortgagee be in actual Possession, or receive the Rent and Profits of the Estate, but the Mortgagor, or (cestus que Trust) in Possession, shall and may Vote for the

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fame Estate; and all Conveyances of Lands, Tenements and Hereditaments in any County, City, Town Corporate or place, in order to multiply Votes, or Split and divide the Interest in any Houses or Lands among several persons, to enable them to Vote at Election of Members, shall be void and of none effects and no more than one Vote shall be admitted for one and the same House and Tenement.

That no person whatsoever under the Age of twenty one years, shall be admitted hereaster to Vote in the Election of any Member to serve in Parliament; and no person hereaster shall be capable of being Elected a Member to serve in Parliament, who is not of the Age of twenty one years; and every Election and Return of any person under that Age, is thereby declared null and void. If any such Minor hereaster chosen presume to Sit or Vote in Parliament, he shall incur such penalties, as if he had presumed to Sit and Vote without being chosen or returned.

By 7 & 8. W. 2. eap. 27. No person who shall resuse to take the Oaths, directed by the Act of 1 W. & M. cap. 8. or being Quakers, to subscribe the Declaration of Fidelity, directed by the Act of 1 W. & M. cap. 18. shall be admitted to give any Vote, at the Election of any Knight of the Shire, Citizen, Burgess or Baron of the Cinque-parts, to serve in Parliament.

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## Perjary.

By 5 Eliz. 9. None shall Suborn Wit. nesses to commit Perjury, or to give Testimony in any Court of Record concerning Lands, Goods, Debts or Damages, in pain of 401. and if the Offender (being Convicted thereof) hath not wherewithal to fatisfie the Forfeiture, he shall suffer fix Months Imprisonment without Bail, stand upon the Pillory one hour, in the same or next Market Town where the Offence was committed, and be for ever after difabled to give Testimony in any Court of Record, till the Judgment given against him be reversed by Attaint or otherwise; He that commits wilful Perjury forfeits 20 L shall suffer fix Months Imprisonment, &c. (as above) be set in the Pillory, and have both his Ears nailed. The Forfeitures are between the King and the party grieved.

Judges of Courts where the Offences shall be committed, Justices of Assize, Gaol-delivery and of Peace, may hear and determine the same Offences.

This Act to be proclaimed at every Affize.

Extends not to Courts Ecclesiastical,
but they may proceed as in time past.

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#### Plays.

By 16 Car. 2. 7. If any person of what degree foever, shall by any Fraud, Shift, Cousenage, Circumvention, Deceit or Unlawful Device, or Ill practice whatfoever, in playing at, or with Cards, Dice, Tables, Tennis, Bowls, Kittles, Shovel-board, or in, or by Cock-fighting, Horse-races, Dog-matches or Foot-races, or other Pastimes or Games whatsoever, or by bearing share or part in the Stakes, Wager or Adventures, or by Betting on the fides of fuch as do, Win or acquire any Sums of Money or other valuable things, he forfeits treble the value of the Money or things; one Moiety to the King, the other to the party grieved, if he profecute in fix Months after; and in default of fuch Profecution any other person may Prosecute, and shall recover treble Costs against the party Offending.

Note, The Offender must be prosecuted within one year by an Informer, or not

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If any wins by playing or betting, &c. above 100 l. in Money or other things, he forfeits treble value of the things above 100 l. Half to the King, and the other half to him that Profecutes; and also treble Costs.

This

This must be prosecuted in a year after the Offence committed.

Contracts, Affurances, Bonds or other Securities for Money won, exceeding 100 l. shall be void; and this Statute is a good Plea in Bar of such Bonds, Contracts, &c.

## Stage Players, &c.

By 3 Jac. 21. None shall in any Stageplay, Show, Maygame or Pageant, profanely use the name of God, Jesus Christ, the Holy Ghost or Trinity, in pain of 10 h between the King and the Prosecutor.

## Poft - Letters, &c.

None but the Post-Master General, his Agents and their Servants shall have the receiving, sending and delivering of all Letters and Pacquets, Except Letters sent by Coaches, Carriers, Letters of Merchants and Masters, by Masters of any Vessel of Merchandize, or others imployed by them, and Letters sent by Friends, and Messengers sent on purpose; and Except Messengers carrying proceedings out of any Court, &c. or Affidavis:

None shall carry or imploy others to carry Letters and Pacquets other than before excepted, or provide Horses for Thorough Posts, or persons riding Post, on pain to forseit 5 l. for every offence, and

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But if any Post-Master do not furnish Persons riding Post, with Horses in half an hours time after demand, such Persons may provide for themselves, and such Post-Master shall forseit 51. if it happen through

his neglect.

Nothing in this Act shall prohibit the carrying of Letters or Pacquets to or from any place to, or from the next Post-Road or Stage. If the Mail be carried out of England to any Vessel, not English built, and Navigated with English Seamen, the Post-Master General shall forseit 100%. No person shall be capable of any Imployment relating to the said Office, but such as shall have taken the Oath of Supremacy and Allegiance, before two Justices of Peace, of the Counties where they are resident.

The Post-Master General, shall continue constant Posts to all places throughout of the Post-Roads, as hath been used three years last past at the Rates therein set down, under the Penalty of 51. for every Omission.

No Horses may be seized for this Service without the Owners consent, Inland Letters shall pay at the Stage where they are last delivered, unless the party that delivers the same, desireth to pay else where. Letters and other things may be sent to and from the two Universities, as hath been used. The one Moiety

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of all forfeitures imposed by this Act is given to the King, the other to the Informer. Confirmed 1.3 Car. 2. cap. 7.

## Residence.

By 21 H.8.13. Spiritual persons promoted to an Arch Deaconry, Deanry, or Dignity in a Monastry or Cathedral Church, or other Church Conventual, Collegiate or being Beneficed with any Parsonage or Vicarage, are to be personally Resident in their Dignity, Prebend or Benefice, or at one of them, in pain to forseit for not being Resident for a Month together, or of two Months, to be accounted at several times in one Year, 10%.

None shall obtain from Rome, any Licence to be Non-Resident, in pain of 201 Neither shall they get Licenses from Rome, to receive a Benefice, or to do contrary to

this Act, in pain of 201 ...

No Spiritual Person shall take in Farm, any Parsonage or Vicarage in pain to forseit 401. for every Week that he occupies the same, and also ten times the value of the Profit, or Rent thereof. Both sorseitures, and all former forseitures to be tween the King and the Prosecutor.

He shall not keep a publick Brew-house, or Tan-house, in pain to forfeit 101. per mensem, to be divided as aforesaid. See be

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By 22 H. G. 10. No Sheriff Chall let to Farm their County or Bayliwick; neither shall he, his Under-Sheriff, or any other Bayliff return upon Enqueft, any Bayliff, Coroner, Steward or Servant of theirs. ther shall they take any thing for arresting, Rees, or for omitting Arrest, fave only the Fees, that follow, vis. 20 d. fo the Sheriff, and 4d. for the Bayliff that makes the Arrest, and 4d. for the Gaoler, (if the party be committed) -- Neither shall any Sheriff, Under-Sheriff, Sheriffs Clerk, Steward, or Bayliff of Franchise Servant, Bayliff, or Coroner, take above 4d for the Copy of a Pannel:

Sheriffs and other Officers shall let to Bayl. Bayl-persons by them arrested, upon reafonable Sureties, having fufficient within the County (Persons in Ward by Condemnation, Execution, Cap Utlagat' or Excommunication, Surety of Peace, or committed by the Justices, and Vagabonds refuling to serve only excepted.)

Shall take no Bond of arrested Persons, but for Appearance, and to themselves only. And shall take but 4 d. for such Bond; and Bonds otherwise taken (tolore officii) shall be void.

Shall have their Deputies at Westmin- 401 penal-Ster, to receive Writs.

Sheriffs

# A Wiew of the Penal Laws

Sheriffs, Under-Sheriffs, Clerks, Bayliffs. Gaolers, Coroners, Stewards, Bayliffs of Franchises and all other Officers that do contrary to this Act, forfeit 4.01. to the King and the Profecutor, and treble Damages to the party grieved.

This Statute extends not to the Warden of the Fleet, or the Gaol of the

Kings Pallace at Westminster.

By Stat. I Ed.4.2. Sheriffs are to deliver all Indictments taken in their Turns, unto the Justices of Peace at their next Seffions, in pain of 401. By 11 H.7. 75. neither, he, his Under-Sheriff or Clerk shall enter into the County, Court any Plaint in the absence of the Plaintiff or his Attorney, nor have above one Plaint for one Cause, in pain of 40s. to be divided betwixt the King and the Profecutor. Also a Justice of Peace may Examine these Offences, and certify them into the Exchequer, and the Officersshall be convicted to pay it without further Inquiry.

By 27 El. 12. No Bayliff of Franchise, Deputy Clerk of a Sheriff, or Under-Sheriff shall intermeddle with their several Offices before they have taken the Oath provided by the Statute, in pain of 40 h between the King and the Profecutor.

By 29 El.4. No Sheriff, Under-Sheriff, Bayliff of a Liberty, or any of their Deputies, shall take for ferving an Extent or Execution more than after 12 d. per pound, for every pound - Sheriffs

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under 1001. and 6 d.for every pound above 1001. in pain of treble Damages to the party grieved, and 40 1. to the King and the Profecutor.

Extends not to Fees of Executions in

Cities or Corporations.

By 43 Eliz. If the Sheriff makes Warrant for Summons, &c., for any Arrest or Attachment, for Body or Goods, to appear in any of the Queens Courts (not having the Original Writ or Process, warranting the same,) he may upon complaint to the Justices of Assize, or Judges of the Court out of which the Process issued, be sent for by Attachment, to be examined upon Oath.

If the Offence shall be confessed or proved by sufficient Witnesses, the said justices or Judges shall forthwith commit him to the Gaol of the Gounty or Court where examined, until he pay the party grieved to L and all his Costs and Damages, to be Assessed by the same Justices or Judges, and likewise 20 L to the Queen.

See before tit. Parliament

Usuries and Extortion.

By 12 Car. 1: 13. None shall take for Loan of Money, Wares or Merchandizes, above the Rate of 6 per Cent. per Annum, in pain to forfeit treble value of the Money or things so lent; and all Bonds and Contracts, &c. whereupon more shall be referved shall be void.

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Scriveners, Brokers, Sollicitors, &c. that shall take for Brokage, directly or indirectly above the Rate of 5 s. for the Loan, or forbearing of 100 l. or 12 d. for making a Bond or Bill concerning the same, shall forseit 20 l. and half a years Imprisonment; the one half of the Forseitures to the King, the other half to the Prosecutor. Confirmed by 13 Car. 2. cap. 14.

Extortion.

By 23 West. 1. 27 E.1. Clerks shall not commit Extortion, in pain to lose the Service of their Master for one year.

By West. 1. 30. 3 Ed. 1. Officers Criers of Fee, and Marshals of Justice in Eyre, shall not commit Extortion, in pain to render the treble, and to be otherwise punished at the Kings Will.

By 28 H. 6. 5. Merchants being diftrained or arrested by Officers of the Costom, for undue Charges and Impositions, may have their General Actions of Trespass against such Offenders, and shall in that case recover 40 l. Damages, if they pursue their Action within two Months; and if they pursue them not within that time, any other may do it by Action of Trespass also, wherein they shall also recover 40 l. Damages, to be divided be twixt the King and such Officer.

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### Weights and Measures.

By Stat. 8 H.6.5. Every City, Borough and Town within England, shall have a Common Balance with Common Weights fealed, and according to the Standard of the Exchequer, upon the common Costs of the faid Borough or Town, in the keeping of the Head Officer or Constable there; on pain that the City for such default shall forfeit 10 1. to the King, the Borough & L. and every other Town 40. s.

lustices of Peace, Mayors, Baliffs and newards of Franchises have power to hear

and determine those Offences.

By Stat. 11 H. 6.8. In every City, borough and Town, there shall be a Comnon Bushel Sealed, and according to the tandard, in like manner and pain, as in Tref he faid Statute of 8 H. 6. 5. is specified all in or a common balance.

they By 7 H.7.4. If a Mayor, or chief, Officer onths; suffeth or delayeth to Seal Measures and n that leights according to this, he shall forfeit ion of s. to be divided betwixt the King nd party grieved; to be recovered by ed be fion of Debt, wherein no Wager of aw shall be admitted.

Justices of Peace have power to hear

d determine the faid defaults.

By Stat. 22 Car. 2. cap. 8. A Clause in a Statute made in the 17th year of Car. 1. That such Measure as is commonly called Water-measure, shall be used as formerly hath been, shall be Repealed as to measuring Corn, Grain or Salt; and is any sell Corn, Grain or Salt by other Bushel or Measure, than according to the Standard, and the said Bushel strucker even by the brim, and sealed as this Active directs, shall forfeit 40 s. to be levied in such manner; and such penalties for wan of Distress to be inflicted, as by the said Act is directed by Warrant of a Justice of Peace.

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If Head Officers of Cities, Boroughs of Corporations, or Liberties, willfully sufficient to see the corporations, or Liberties, willfully sufficient to see the corporation of the buy Corn, Grain or satisfied than this Act directs; or upon corplaint of the breach of this Statute, so not punish and reform the same; upon conviction thereof at the General Sessions the Peace, shall forfeit 5 l. one Moiety the Informer, the other to the Poor of Parish where the Offence is committed; be levied by Distress and Sale of God and for want thereof, by Imprisonmential payment.

See before for the Measure of Salt

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Salt

At their charge who shall have the Toll, or Profit of the Market where no Toll is, within any City, Corporation, or Market-Town, there shall be one Measure of Brass provided, and chained in the publick Market place, on pain to forfeit 5 l. to be recovered, and levied as by this Act is derected; one Moiety to the Poor of the Parish, another to him that will Sue for the same.

Constables may search and examin, if any use other Measures, or Strike them inother manner than this Act directs; and if they find any unsealed Measure may break the same, and for that and every other Ofsence against this Act, shall present the Offender at the next Quarter Sessions.

None punished by virtue of this Act,

virtue of any other Act.

By Stat. 22 & 23 Car. 2. cap. 12. They that sell or buy Corn or Salt without measuring, being thereto required, or in other manner than by 22 Car. 2. cap. 12. is directed, and that without shaking the Measure by the buyer, shall forseit besides the penalty of the former Act, all the Corn or Salt, or the value thereof to the persons complaining.

Upon complaint to one or more Justices of Peace, the Proof shall lye upon the Defendant to make appear by Oath of one or more Witnesses, That they did buy or

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sell according to this, and the said Act; wherein if he sail he shall forseit as by this Act is directed, to be levied by distress and sale of Goods; under Hand and Seal of one or more Justice, before whom such Conviction shall be; which penalties shall be distributed, one half to the Poor of the Parish where the Offence was committed, the other to the Informer.

In Markets where there is not a Clerk of the Market, the Mayor or Head Officer, or others having the benefit of such Market, shall Seal Measures duly gauged brought for the purpose, taking no more than by

the former Act is appointed.

All they to whom any Salt, Rent-Corn or Tyth-corn is due, may take them by the like Measures as they were paid by before the beginning of this Parliament.

Note, The former Act 22 Car. 2. cap. 8. gives a Forfeiture upon those, who are authorized to Mark and Seal Measures duly gauged, viz. 5 l. for the first Offence, and 10 l. for every other, to be levied as aforesaid. Note, The Fee for Sealing a Bushel is 1 d. for a Half-bushel or Peck a half-penny, and for a Gallon, Pottle, Quart, Pint or Half-pint, one Farthing,

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Here follows a Table of such Misdemeanors, Offences and Nusances as are relievable in the Ctown-Office, as the same were Digested in the President Book of an Eminent Clerk of that Office.

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Ale-felling without License
Affault, and offering Money not to apper
as Evidence.
Artificer not made Denizer, and using
Trade.
Artificer playing at Bowls against the

Artificer playing at Bowls against the Statute

Ale-selling it, not having its Measure, &c.

Arresting one not being Sworn Bailiff,
of the County, &c.

Arresting a Man without Plaintiffs Ac-

Apprentice, Receiving him and causing hime to spend his Masters Money

Adultery, endeavouring to live therein

Mault, with intention to Ravilla

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Beggers, For lodging them in his Barn,
&c.
Buggery
Bawdy-house keeping
Barrator Common

Butcher Selling Cattle contra Statute Blasphemy

Bayliff of a Liberty having Retorn of Writs practifing as an Attorney

Bond Cancelling

Onstable not presenting one for not going to Church.
Constable not presenting a Nusance Constable refusing to Serve, &c.
Conspiracy, to charge one with a Rape For charging one to be the Father of a Bastard
For accusing a Man to have fooker Treat

For acculing a Man to have spoken Treafon

Conspiracy to Murder one, &c. Champarty

Challenges to Fight, &c. Cockpit, keeping it, &c.

Cart carrying above 100 Weight

Cellar, Leaving it open in the Streets by day and night, ad magnum periculum,

Cockpit erecting it
Cottages erecting them
Conflable neglecting his Office
Refuling to affect him in Executing his

Office

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Office
Carrier, For cheating the Carrier of Writings
Coneys, Destroying them in a Warren
Church, Entertaining one not going thereto
Church-wardens not giving in their Accounts

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Deceit in Cards
Deceit in Dice
In Selling Sea Coals by the Chaldron, under 36 Bushels per Chaldron

In Kidnapping or drawing one into a Ship, to Transport him

In Selling Shoe-buceles for Silver, not marked with the Leopards-Head,

In putting a False Sign and Seal, &c.
Delivery of Coals not made by a Carman,
but carried away by Deceipt, &c.

Disorderly House

Disorder in shewing his Secret-parts

-In Selling infected Flesh

fpoiling the Water

In erecting a Furnace, and terrifying the People by making great Fires, &c.

Deceipt in pretending a Man to be a Lunatick

In putting in Bail in a Wrong name Deceipt in a Midwife

Deceipt in seducing Women into a Ta-

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vern and making them pay Money Deceipt in getting a Mans Wife from him. and Living in Adultery Deceipt for agreeing for a Sum of Money to Swear, &c. Dog, Mastiff, for keeping him unmuzled, Ad mordend' & Terrorem Ligeorum, &c. Xtortion in an Attorneys Fees -In a Serjeant at Mace--In Marshal-Court Officers -In a Bayliff -In a Parrator of the Prerogative Court -By the Warden of the Fleet, for one Evicted and Committed for Misdemeanors, &c. Extertion in the Keeper of a Prison. Elony compounding for it Forging a Warrant of Attorney, to confess a Judgment Forging the fign of the Common Pleas. Forging a Bill of Exchange Forging a Will Forging a Mans Hand to a Bond Forestalling a Market Forging a Bond, &c. Forceable Entry

Fish, destroying them

Felons Goods, receiving them

Felony, having three Wives

G

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Gold

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Aiming-houses, keeping of it

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Game, Deftroying it with Dogs, Nets, Engins, &c.

Gaoler making false Certificate

Gunpowder, keeping it, &c.
Gun, carrying it not having 100 l. per

annum Goldsmith Selling Gold less than Stand-

ard

Ides, Selling them before Search Hogs, Feeding, &c. bulehold-stuff, for carrying it away

I

Nformer, compounding it
Inmates, keeping them
le persons, for barbouring them, &c.
continently living
stices refusing to suppress a Riot

Idnapping

L

Eather, Buying it not figned

Leather-fearchers taking Exortion
belling

Aim and Riot
Maintenance
Her buying Grain Unground
demeanors in Arrest, &c. and getting

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Ine. Lable.
Bill of Sale, and getting Money from his when none due
Monopoly, in City of London
Misdemeanor in Forestalling
—In concealing prohibited Goods
In procuring a Maid to be debauch
-In altering a Bond
N ·
On Refidence at his Vicaridge for bove four Months
Nusance in not scowring Highway
-In Overseers of Highway
-In Digging Pits, &c.
-In making a Dunghil, &c. in the Hig
+ way
-In putting Filth in the Highway
-In diverting a Water-course
- In creeting a Cataract
-In not Repairing Highways
-In keeping Hogs
-In putting Filthy Water in the Hig
-In putting Filth in a Shed
-In not Scowring the Sewers and D ches, &c.
-In Inclosing part of the Highway
-In feeding and keeping Poultery no
Highway
In erecting a Brewhofe
-In erecting a Brick-killn
-In not building a Bridge
In putting Filth in a Pond

For building a House over a River Nusance in putting a Post in the Highway

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—In continuing a House of Office in a

Neglect in a Mayor of a Town, in not providing Measure and Chain, &c.

Nusance in putting a Cart in the Highway

In not repairing Pavements,&c.

Officers not taking Oaths of Allegi-

Pawns, Recoiving them, viz. Silk delivered to a Woman to Wind, and the pawn'd it

Perjury
Pigeons, Shooting them
Possessino, keeping one out
Pickpocket against him
Parson, Plurality
Pound-breach and Park-breach

R

Rape
Regrating
Rescue and Riot
Riot and unlawful Assembly
Riot and Force
Retailers selling Goods
Riot and Riding Skinnington

Riot

Riot and turning School-master out of Por fession of School

S

Subornation
School-master bringing up Children in
Romish Religion,&c.
Scould, Common
Sheriff in Office above a year
Sheriff false Retorn
Shooes, Selling them, the Leather not Tanned
Simony
Scrivener taking Procuration Money
Surgery, practising without allowance

Trade not serving Apprentice
Tiles, Selling them not according to the
Statute

V

V Agabonds, Hawking Whipps,&c.
Vintners Selling false Measures
Virgin, Stealing her
Virgin, Seducing her Under-age
Usury unlawful
—Against a Pawn-broker for the same

Whore being Common
Wheat, Selling it wanting Weight
Wine, Selling it without License
Wool, Transporting it, &c.
Wood-ground, Turning it into Pasture

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